

THE LIFE OF SIR
HENRY VANE
THE YOUNGER

BY
JOHN WILLCOCK, M.A., D.D.



SIR HENRY VANE THE YOUNGER

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STATESMAN & MYSTIC (1613-1662)

BY

JOHN WILLCOCK, M.A., D.D.

F.R.Hist.Soc.



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DEDICATED TO THE MEMORY OF
ALEXANDER TAYLOR INNES, LL.D.,
ADVOCATE, WHO COMBINED A GRASP OF PRINCIPLES AND
A PERSONAL INTEGRITY LIKE THOSE OF VANE
WITH A TRANSPARENCY OF CHARACTER
AND A GRACIOUSNESS OF DISPOSITION
WHICH ENDEARED HIM TO
ALL WHO KNEW
HIM

"It is the business and duty of historians to be exact, truthful, and wholly free from passion; and neither interest nor fear, hatred nor love should make them swerve from the path of truth, whose mother is History, rival of time, storehouse of deeds, witness for the past, example and counsel for the present, and warning for the future." *Don Quixote*, chap. ix (Ormsby's translation).

"A soul supreme, in each hard instance tried,
Above all pain, all passion, and all pride,
The rage of power, the blast of public breath,
The lust of lucre, and the dread of death."

Pope to Oxford (*Shorter Epistles*).

"Our joy is like a narrow raft
Afloat upon the hungry sea,
Hereon is but a little space,
And all men, eager for a place,
Do thrust each other in the sea—
And each man, eager for a place
Doth thrust his brother in the sea.
And so our joy is wan with fears,
And so the sea is salt with tears,
Ah, well is thee, thou art asleep!

Our life is like a curious play,
Where each man hideth from himself.

'Let us be open as the day,'

One mask doth to the other say,
When he would deeper hide himself—

'Let us be open as the day,'

That he may better hide himself.

And so the world goes round, and round,

Until our life with rest is crowned,

Ah, well is thee, thou art asleep!"

Old Song.

PREFACE

VERY few general readers know more about Vane than that Milton addressed a sonnet to him, and that Cromwell on a celebrated occasion prayed to be delivered from him. Both of these facts come up before the minds of most of us at the mention of his name. The distinction involved in the first of them is very great. One would imagine that even an ordinary reader could scarcely peruse the sonnet in question without experiencing keen curiosity to know something more about the subject of it. What manner of man can he have been to whom the poet gives the extraordinary title of "Religion's eldest son"? With regard to Cromwell's prayer, on the sincerity of which we cast no doubt, the same general reader is probably under the impression that the distinguished General was at the time doing something very noble, and that Vane was some elderly bore whom he swept out of his path without compunction; an impression to which Carlyle, very little to his credit, gives the weight of his support. Yet as a matter of fact Cromwell was at the time engaged in an illegal action and Vane was one of the representatives of law and order who had the courage to confront the master of legions and to protest against his conduct. He and Cromwell were for a long time the dearest and most intimate

of friends. That they came into antagonism with each other is certainly no matter of discredit so far as Vane is concerned.

Richard Baxter says of the part which the latter played in the public events of his time: "To most of our changes he was that within the House which Cromwell was without" (*Reliquiæ Baxterianæ*, I, p. 75). So that the subject of our biography was no obscure nonentity, but a man of the very first rank, and one who deserved on many accounts to be respected and remembered. Our desire has been to give a fair and full narrative of his remarkable career, and to enable our readers to form some idea of his noble character. We have striven to avoid the fault of attempting to enhance Vane's reputation by disparaging that of any of those who came into conflict with him.

Viscount Morley has said of History: "I do not in the least want to know what happened in the past, except as it enables me to see my way more clearly through that which is happening to-day." Vane's biographer need not be afraid to have his work tried by this test, for he has to deal with many subjects of perennial interest, and even of present-day importance. Vane himself was an ardent democrat in politics, an apostle of religious toleration, and an advocate of the separation of Church and State. Indeed, so far from his views being fossilized with age, they have probably too much life and vigour for many in our own day.

It cannot be said, as we remark on a later page, that Vane has been altogether neglected by bio-

graphers. Two formal lives of him have been written in America, and two in England. The question at once suggests itself, Why add a fifth? A sufficient answer is found in the fact that, as we have said, much ignorance regarding Vane's life and character still remains. But apart from this consideration the great additions to historical knowledge, contained in a work like the *Dictionary of National Biography* and in the other volumes which embody the results of historical research during the past generation, virtually put much of the earlier literature of the kind in question out of date, even if some of it were not also out of print and practically inaccessible to the general reader. The way, therefore, seems clear, at any rate to us, for another biography of Vane in which, as far as possible, all extant information regarding him that is available should be utilized.

The portions of the following work in which we think we can fairly claim to have enlarged the boundaries of historical knowledge, so far as Vane is concerned, are those which concern his relations with Cromwell, and those which describe his political career from the death of the latter down to the restoration of Charles II. His connexion with the plot in which Sir Richard Willis was the chief agent, and which had for its object the seizure of the persons of Charles II and his brother, the Duke of York, is quite a newly discovered incident in his life. Sir Richard Willis's treachery is, of course, well known, as is also the fact that it was revealed to Charles through Morland. But we think that some

confusion has hitherto been occasioned by an omission to notice the fact that Willis's scheme was twice proposed—first of all in the last year of Cromwell's life, when Thurloe was Secretary of State, and then in 1659, when Thurloe had been virtually superseded by Scott. On the earlier of these occasions Vane was in retirement and had no connexion whatever with the scheme or knowledge of it. On the second occasion he was the most prominent person in English public life, and in dire need of the measure of protection against danger, which the plot in question aimed at securing for the faction with which he was connected. The only witness as to Vane's complicity with the plot is Sir Samuel Morland. It may be thought by some that his evidence is too tainted for reliance to be placed upon it. In another part of the volume we discuss the question of Morland's credibility, and express the opinion that his statements with regard to the matter are trustworthy. So far as we are concerned, as the incident is not to Vane's credit, we should be delighted if matters could be so elucidated as to clear him of connexion with the plot; but as the case now stands we think that there is some evidence against him, even if it be not enough to prove him guilty. We have no hesitation in admitting this; for though our conviction of Vane's general integrity and of the nobility of his character is quite unshaken, we have no desire to represent him as faultless. We are quite willing that all the facts concerning him should be known, even if some of them should be made the basis of a less favourable

judgment regarding him than that we have formed.

We have great pleasure in acknowledging our indebtedness to J. B. Williams, Esq., for information and for copies of documents bearing on the plot in 1659 to take Charles II and the Duke of York prisoners, and also for giving a solution of the *sobriquets* "Brother Fountain" and "Brother Heron" in the correspondence of Cromwell and Vane: also to F. J. Grant, Esq., W.S., Rothesay Herald, for the sketch of the coat of arms of Sir Henry Vane, on the title page. The particulars of the coat of arms are as follows: "Sir Henry bore Azure, three sinister gauntlets Or, with the Crest a dexter gauntlet proper, bossed and rimmed Or, brandishing a sword also proper with the motto, 'Nec temere nec timide.'" We are indebted to Prof. C. H. Firth for his unfailing kindness in imparting information asked from him and in giving his opinion on points submitted to his judgement. Many other friends have helped in various ways. Among these we desire to return thanks to Miss Mackinder, of Belleau Manor, for particulars regarding the house and district associated with Vane's memory as one of his places of residence; to T. W. Huck, Esq., of Saffron Walden, for many details with regard to the Vane family and their connexion with Essex; to the Rev. J. E. Philipps, of Staindrop Vicarage, Darlington, for information regarding the memorials of the Vanes in the church at Staindrop; to the Rev. H. Greenwood, Belleau Rectory, Alford, for extracts from the registers of the church at Belleau; to the Rev. T. C. Fitzpatrick,

Queen's College, Cambridge, for the portrait of Hugh Peters; to the Trustees of the National Portrait Gallery for portraits of Vane and of Lambert; to Messrs Goupil et Cie, for that of Richard Cromwell; to the Trustees of the British Museum for copies of the Faithorne portrait of Vane and of the playing-card caricatures of him; to the Town Council of Boston, Mass., for the portrait of Governor Winthrop; to J. G. Cupples, Esq., Brookline, Mass., for the portrait of Cotton; and to Mrs Bagot, London, Miss Middlemass and Mrs MacLellan, Edinburgh, for looking up various items of information in connexion with Vane; also to R. G. Sykes, Esq., Birkenhead, for the information which enabled us to give the very remarkable history of Milton's sonnet to Vane; to Dowager Lady Vane for the copy of the portrait of Sir Henry which is preserved at Hutton-in-the-Forest, Cumberland; to Miss Hunter for drawing the little illustration which figures as a tail-piece; and to G. Chapman, Esq., New York, for aiding me to get some American books bearing on Vane.

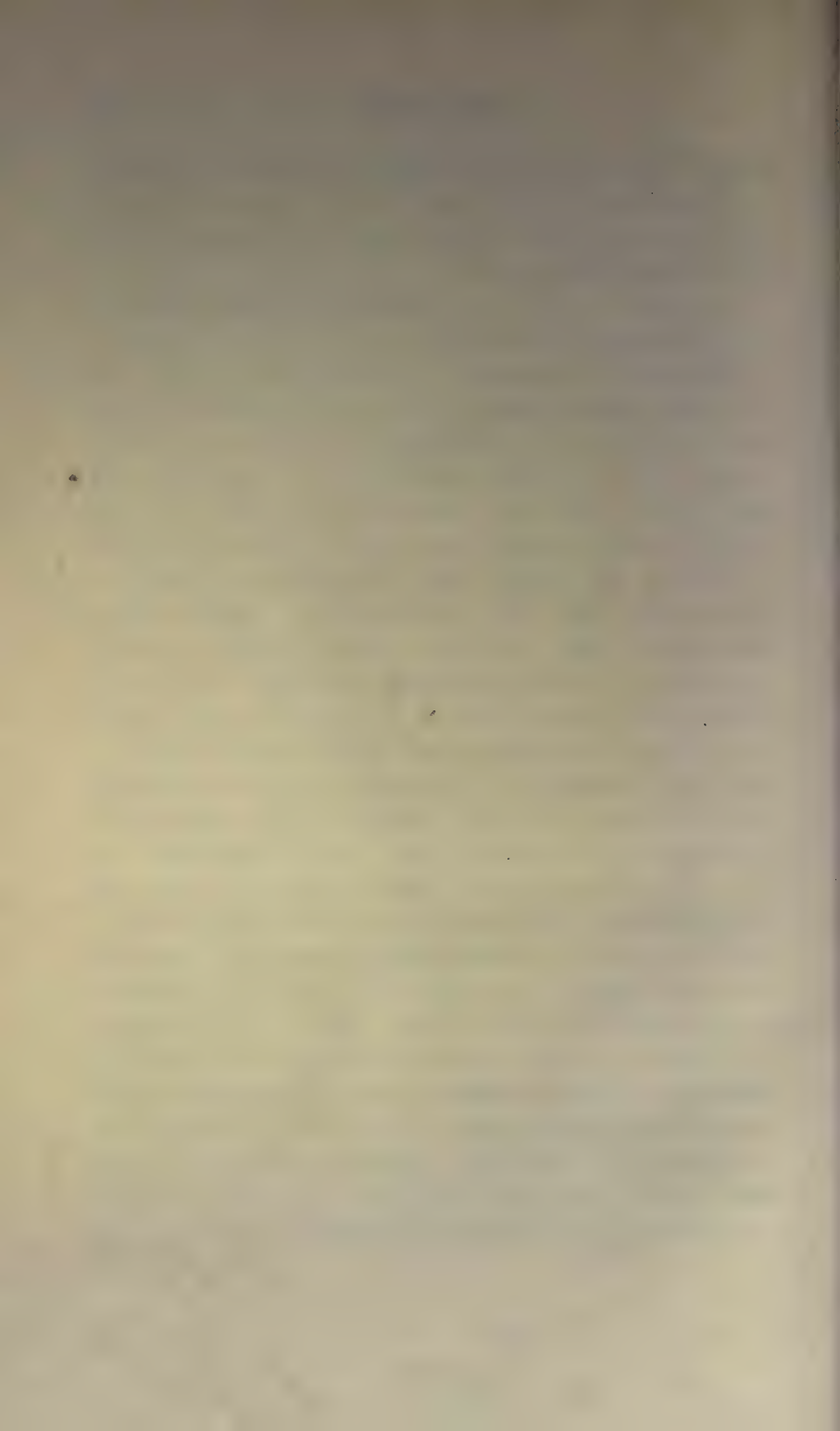
We should like also to record our indebtedness to the late Alexander Taylor Innes, LL.D., to whose memory we have dedicated this volume. He was certainly one of the ablest and most clear-sighted advocates of religious equality of his time in Scotland, and, as his writings and speeches showed, he was able to state his convictions in luminous and convincing terms. Everything that he wrote bore the mark of a rare and accomplished mind. The subject of our biography had a great fascination for him, and we were

glad to avail ourselves of several suggestions he made after reading over the first two or three chapters of the following work, all that had been written of it at the time of his death.

JOHN WILLCOCK.

St Ringan's Manse,
Lerwick, Shetland.

Feb. 10th, 1913.



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CHAPTER I

Introduction—Early history of the Vanes—Career of Sir Henry Vane the Elder—Birth of Henry Vane the Younger—His education at Westminster and Oxford—His early religious experiences—His continental travels—His diplomatic services—His relations with Charles I.

The interesting elements in the character and career of Sir Henry Vane the Younger are numerous and diverse. His remarkable mental characteristics, in which dreamy mysticism and the qualities which belong to the administrator and the statesman were strangely blended, his personal integrity and his unswerving devotion to the cause he embraced and the ideals which commended themselves to his reason and heart, his connexion with public life and prominence in the State during the most heroic period in English history, and his untimely and unmerited fate, all combine to render him one of the most striking figures of the age to which he belonged, rich though it is in men of intellectual and moral eminence and in lives alternately exalted and abased by the changes of Fortune's wheel. Three great names are associated by us with the English Commonwealth which rose on the ruins of the Monarchy in the middle of the seventeenth century: Cromwell, supreme in the field of war, Blake on the sea, and Vane in the cabinet. If Vane is not quite as vividly present to us as either of the others it is perhaps because military prowess and exploits catch the eye more readily than do the genius and achievements of the statesman—a defect which the historian may hope to re-

dress, at least in part. Not that Vane has suffered an unworthy neglect on the part of biographers. A life of him appeared a few months after the scaffold had been stained with his blood, and time after time since then, both in America and in England, has his biography been written. Yet in spite of all the literary activity which he has occasioned, the fact that he is a comparatively obscure figure to the ordinary reader makes it reasonable to believe that there may be room for another attempt to tell the story of his life.

It is interesting to think that the ardent democratic temper which appeared in Vane, and of which, indeed, he may be taken as the embodiment, was not inspired by irritation against the privileged classes of Society. He renounced privileges rather than assailed them. For, though he himself belonged to the aristocracy, he was convinced that, to use his own words, "the original of all just power was in the people."¹ His political creed was the result of theories carried to their full logical conclusions and unchecked by considerations of personal interests or by the fastidiousness of the man of culture and refinement. He had no preference for a Republic rather than a Monarchy, provided that the latter admitted that it was accountable to the people from whom its authority was derived. If this were denied he had no hesitation in entering on the path of revolution. He reminds us of a Roman senator of the Republic's best days—to whom, indeed, Milton in his famous sonnet likens him—who, though he might be a noble by birth, loved the State too well to look with scorn upon his fellow-citizens, and who was not merely faithful to the constitution which placed them all upon the same level, but was convinced in his heart that this was the only worthy and just view of matters.

Those who have searched into the history of the family tell us that the Vanes have an unbroken descent from Howel ap Vane who lived in Monmouthshire before

¹ Speech on 9 Feb., 1658-9.

the Norman Conquest. In the fifteenth century the family was resident in Kent, and from one of its members, a John Vane who died in 1498, the Earls of Westmoreland and Darlington are descended. He calls himself in his will John Fane, Esq., of Tunbridge. This mode of spelling his name, which he adopted, prevailed in his family for several generations, but was dropped by Sir Henry, the father of the subject of our biography. John Fane was a landed proprietor in Kent, possessing the manor and mansion-house of Hadlow, and lands at Hollynden and Great Peckham in the same county. His grandson, Henry Fane, was one of those who took part in the insurrection of Sir Thomas Wyatt, who sought to hinder the marriage of Queen Mary to Philip of Spain. On the defeat of the insurrection he was imprisoned in the Tower, but after a few weeks' detention he was liberated on the ground of his youth.¹ He was brought up as a Protestant, the whole family to which he belonged having from the beginning of the Reformation adhered to that side. In the first and second Parliaments of Elizabeth he sat as representative of the Cinque Port of Winchelsea, and was regarded as one of the ablest, as he was one of the most active, members of the House of Commons. His son, also a Henry Fane, distinguished himself by his zeal in raising forces both of horse and foot in his county for defending the country against Spanish invasion in the memorable year of the Armada. The taste for a military life which this experience awakened in him led him to devote himself still further to it. He held a command in the forces sent by Elizabeth in 1595 to France to assist Henry IV. He did not return from this expedition, but died at Rouen on 14 Oct., 1596.²

The position in the country held by these representatives of the House of Vane, formed an admirable introduction to public life for the next of the line. This was

¹ Stow, *Annals*, pp. 622, 623.

² Collins, *Peerage* (ed. by Brydges), vol. IV, p. 505.

the Henry Vane, for he recurred to the earlier form of the name, who played such an important part in the reign of Charles I, and whose son's life we are about to write.

Sir Henry Vane the elder, as he is usually called to distinguish him from his more famous son, was a busy, self-seeking courtier in the reign of James I and a prominent politician in that of Charles I. In the beginning of his public career he invested his money and his wife's dowry in the purchase of various lucrative offices at Court, and he found in the intimacy with royal personages into which this brought him opportunities of adding to his wealth through their lavish patronage. In an autobiographical fragment which is extant he tells us that his first patron was Sir Thomas Overbury, whose fate is such a tragic episode in the history of that time. Through his friendship Vane bought "a carver's place" at Court for £5,000 Sterling.¹ From this lowly post to that of Secretary of State is a long distance, but Vane in course of time succeeded in traversing it. So profitable were his investments that from having a rent-roll of £460 Sterling a year he came in the end to have one of £3,000 Sterling. He sold his estate of Hadlow and purchased in its stead that of Fairlawn, which is also in Kent; while with the purchase of the seignories of Raby, Barnard Castle and Long Newton in the county of Durham he removed his principal residence from the south to the north of England. Raby Castle, which had been the chief seat of the Nevilles, Earls of Westmoreland, and had been part of the property forfeited for rebellion in the reign of Elizabeth, thus came into his hands, and suggested a suitable title in case its owner were raised to the peerage.² Here he entertained Charles I with princely hospitality on two occasions—in 1633 when the King was on his way north to Scotland to be crowned, and in 1639 when he was on his way thither to deal with

¹ Dalton, *Wrays of Glentworth*, vol. II, p. 113. This second volume was privately printed, but there is a copy of it in the British Museum.

² For an account of the elder Vane see Collins's *Peerage*, under Earls of Darlington.

the rebellion which his misgovernment had occasioned. An amusing story is told with regard to this property, and as it casts some light upon the elder Vane's character we may tell it here. Raby Castle, we are told, was after its forfeiture held by the Crown and was regarded as one of the finest "royalties" in the north of England. It had been assigned to Charles when Prince of Wales as part of his maintenance, but after he came to the throne and had difficulties with his Parliament with regard to supplies of money, he disposed of it to some London citizens and empowered them to make a profit on their purchase by granting leases. Old Sir Henry bought up the rights of the company and got them confirmed to himself on easy terms by the King. The Castle, doubtless, needed some repairs, but to speak of it, as he apparently did, before purchase, as "a heap of stones," was surely undervaluing it. On Charles's first visit to the Castle he was astonished to find it such a magnificent structure, and said pleasantly to its owner, "Sir Henry, this is more than a heap of stones."¹

The qualities needed for success in life of a kind like that achieved by the elder Vane can be easily guessed. The arts of the supple courtier, the acuteness, insight and tenacity of purpose of the efficient man of business, united with a certain bluntness of moral feeling, are sufficient to explain matters. Clarendon was hostile to both the Vanes, so that some deduction may have to be made from the estimate he gives of the character of the father, but, apart from this, we have no doubt that his description is fairly accurate. "He was," says Clarendon, of the elder Vane, "of very ordinary parts by nature, and he had not cultivated them at all by art; for he was illiterate. But being of a stirring and boisterous disposition, very industrious and very bold, he still [i.e. constantly] wrought himself into some employment. . . . He was made a counsellor, and controller of the household,

¹ *Regicides no Saints* (1700), pp. 99, 100: quoted by Prof. C. H. Firth, *Eng. Hist. Rev.*, vol. XXVI, p. 751.

which place he became well and was fit for; and if he had never taken other preferment, he might probably have continued a good subject. For he had no inclination to change, and in the judgement he had, liked the government both of Church and State; and only desired to raise his fortune, which was not great, and which he found many ways to improve."¹

Clarendon's remark that the elder Vane was a man of very ordinary parts may seem inconsistent with the fact that he was employed in important diplomatic transactions,² but it is not really so, if there is any truth in the saying of a statesman of that age, that very little wisdom is needed for carrying on the affairs of the world.³ More than once he was sent as an envoy to Holland and Germany in the time of the 'Thirty Years' War to endeavour to effect the restoration of the Elector Palatine, through whose rash and ambitious conduct that great conflagration had arisen. Such matters as negotiating a peace between the United Provinces and Spain, and attempting to employ the victorious arms of Gustavus Adolphus on behalf of the Elector Palatine, were entrusted to his care, and he gave satisfaction to those whom he represented. Apart from these diplomatic services he acted as member of Parliament for various English boroughs in the reigns of James I and Charles I.

Henry Vane, the subject of our biography, was born in 1613, and was the eldest son of Sir Henry Vane and of his wife, Frances Darcy, of Tolleshunt Darcy in Essex.⁴ Frances Darcy, Vane's mother, was the daughter of a Florentine, Vincent Guiccardini. Perhaps some of the elements of her son's curiously "un-English" character may be referable to the fact that there was Italian blood in his veins. With this clue in our hands we may come

¹ *Rebellion*, VI, 411 (ed. Macray).

² Whitelock, *Memorials*, p. 14.

³ A saying attributed to Axel Oxenstjerna, the minister of Gustavus Adolphus.

⁴ This is given in the *D. N. B.* as Tolleshurst Darcy, but the above form of the name is that in common use and it was in use in Sir Henry Vane's day (see Norden's *Essex*, Camden Society).

to understand how in his very appearance there is a trace of the typical Florentine with his "penetrating though not, perhaps, very handsome face, and his firm, well-cut mouth."¹ The place of Vane's birth is often given as Hadlow in Kent, we presume because the latter was the family-seat at that time. But the probability is that he was born in Essex, as the record exists of his having been baptized on 26 May, 1613, at the church of Debden, near Newport.² As the next of the family, Frances, born a year later, was also baptized in the same church,³ we may suppose that Sir Henry Vane had a residence in that county.

Henry was the eldest of a family of eight sons and four daughters. Two of his brothers died in infancy. The surviving sons were all able and capable men and took part in public life, though none of the others attained to the fame of the eldest. One of them, George, was, like Henry, knighted by Charles I and became High Sheriff of Durham. Another of them, Charles, was an agent of the Commonwealth in Portugal when Prince Rupert with his fleet took refuge in Lisbon. A third son, William, entered the Dutch service; while a fourth, Walter, was evidently a pronounced Royalist in politics, for he was knighted by Charles II and employed by him in the diplomatic service within three years of his brother Henry's execution on Tower Hill.⁴

At the time when Vane was born James I was entering on the second and the more discreditable period of his reign—that in which the government of the country was virtually in the hands of his worthless favourites. Robert Cecil, the minister who in a measure continued the foreign policy of the great reign of Elizabeth, and Prince Henry,

¹ G. Eliot, *Romola* (Proem). The portrait by Dobson suggests this rather than that by Lely. Vincent Guiccardini was a descendant of the historian of Florence.

² Baptismal Register at Debden Church.

³ See Appendix No. 2.

⁴ Lord King, *Life of Locke*, p. 10. Locke entered public life as secretary to Walter Vane. A copy of Sir Henry Vane's *Retired Man's Meditations* containing Locke's autograph is still extant.

on whom the nation was beginning to look as one likely to prove in time an able and noble sovereign, had both recently died, and the restraint they had exercised upon James had been removed. Raleigh was a prisoner in the Tower. Shakespeare's plays had all been written, and he was spending his closing days in the town in which his life had begun. Cromwell and Blake were boys of fifteen, Milton a child of five, while Prince Charles, to whom afterwards all three were to sustain so many hostile relations, was thirteen years of age.

We are unable to present our readers with any details of the early life of Henry Vane. His own references to that period and those contained in the contemporary life of him are singularly meagre and vague. Indeed, the latter work is very disappointing as it contains but few biographical details and is largely taken up with religious reflections. The author, G. Sikes, was a friend of Vane's and shared in his peculiar religious tenets, but he had no skill as a biographer. His courage, however, in defending his friend's reputation and in expressing his admiration for his noble qualities, is beyond all praise, especially when we remember that it was manifested to those who had put Vane to death.

The only information we have about Vane's boyhood is that he was educated at Westminster School,¹ where he had as fellow-pupils a number of those with whom he was afterwards associated in public life. There can be no doubt that one of the powerful influences in moulding his character was that exercised by Lambert Osbaldeston, who was at first an assistant there and afterwards headmaster during Vane's time. Osbaldeston was certainly the most distinguished teacher of his day and was noted for the admirable quality of the pupils whom he turned out. Thomas Fuller says of him: "He had above four-score Doctors in the two Universities, who gratefully

¹ Wood, *Athenæ Oxon.*, art. "Vane," says, speaking of Vane's early life: "He was bred at Westminster School, with Sir Arthur Haselrig, Thomas Scot the regicide, and other notorious anti-monarchists." (Vol. III, p. 578.)

acknowledge their education under him.”¹ In the dispute between Charles and his subjects he was in sympathy with the party opposed to the Court, though a time came when their proceedings were too revolutionary even for him. As we shall afterwards tell, he became notorious for his hostility to Laud and narrowly escaped a sentence like that of Prynne.² His liberal opinions and sarcastic wit, which afterwards got him into trouble, together with his learning and force of character, make him a very interesting and remarkable figure in the generation in which he lived.

After leaving school Vane proceeded to the University of Oxford. What his manner of life was in those early days he himself tells us in a sentence or two spoken on the scaffold. In an interval, when the trumpets blown to drown some portions of his dying speech were silent, he was heard saying: “I judge it meet to give you some account of my life. I might tell you, I was born a gentleman, had the education, temper, and spirit of a gentleman, as well as others: being (in my youthful days) inclined to the vanities of this world, and to that which they call good fellowship, judging it to be the only means of accomplishing a gentleman. But about the fourteenth or fifteenth year of my age (which is about thirty-four or five years since) God was pleased to lay the foundation or groundwork of Repentance in me, for the bringing me home to Himself, by His wonderful rich and free Grace, revealing His Son in me, that by the knowledge of the only true God and Jesus Christ whom He hath sent, I might (even whilst here in the body) be made partaker of Eternal Life, in the first-fruits of it. When my conscience was thus awakened, I found my former course to be disloyalty to God, profaneness, and a way of sin and death, which I did with tears and bitterness bewail, as I had cause to do.”³

¹ Quoted in Oldmixon's *England During the Reign of the Stuarts*, p. 134.

² Wood, *Athenæ*, vol. III, p. 578.

³ *Trial*, p. 87; Sikes, *Life*, p. 8. These are bound up together.

It is only fair to Vane to give as a comment upon this speech the remarks of his earliest biographer in connexion with this period in his life. He distinctly tells us that this sociability of Vane, which made him "acceptable company to those they call good fellows" did not at its worst lead to what is reckoned vicious conduct—a fact for which Vane had often been heard to give thanks to God; and he also gives us some hint of special religious experiences which preceded and occasioned the change in his life. The actual words he uses have an interest of their own—so remote are they from the religious phraseology current among us. "Then God," he says, "did by some signal impressions and awakening dispensations, startle him into a view of the danger of his condition. On this he and his former jolly company came presently to a parting blow. Yea, this change and new steering of his course contracted enmity to him in his father's house."¹

At this point we may be allowed to inquire what we are really to understand by the words of self-accusation above quoted from Vane himself. Such statements are familiar to us in the writings of Puritan times and in many Christian autobiographies, and are beautiful and touching when they evidently mark great crises through which the souls of men from time to time are called to pass. The most striking example of the kind is to be found in Bunyan's *Grace Abounding*, in which he tells the story of his religious life. The language in which he describes his unregenerate life is marked by extreme severity and deepest contrition, as though he had been guilty of every known form of sin; and yet, in defending himself against the accusations of his enemies he resolutely declares his innocence of various specified vices. In like manner Cromwell in one of his letters says to his cousin, "You know what my manner of life hath been. Oh, I lived in and loved darkness, and hated light; I was a chief, the chief of sinners." This is true: I hated

¹ Sikes, *Life*, p. 8.

godliness, yet God had mercy on me.”¹ Yet surely only a stupid and malignant mind would regard these utterances as evidence that the speaker had once been of dissolute life. The soul’s thirst for God, its vision of a standard of infinite purity in comparison with which its own righteousness is but as filthy rags, and the sensitiveness of a loving heart and of a conscience awakened by the word of God, are revealed by them. And so with regard to Vane’s self-accusation, it may well be that he did not appear to others as he appeared to himself, and that the “good fellowship” which seemed to him in his remorseful recollection of early days “profaneness and a way of sin and death” was something which the world would regard as “far within the limits of an allowable freedom.”² Surely anyone who has had any moral life can understand what such utterances mean, even if it would be mere hypocrisy for him to adopt them as his own.

One point in Vane’s reference to his own past history is, we think, worth noticing, as it casts light upon an episode in his later history which has puzzled at least one of his biographers. He speaks of having bewailed his wickedness with tears. This in the case of such a man as Vane is to be taken literally and indicates, we think, a highly-strung nature. His ordinary demeanour was marked by a certain coldness and reserve, so that even on the scaffold, we are told, he might have been mistaken for a disinterested spectator, instead of the person principally concerned in what was going forward. But beneath this air of impassive dignity blended with shyness there were deep and sensitive feelings which might find sudden expression in unexpected ways.

When Vane was sixteen years old he went up to Oxford to enter himself as a gentleman-commoner at Magdalen Hall.³ His career there was, however, but brief, as his

¹ Carlyle, *Cromwell’s Letters*, vol. I, p. 87.

² C. Lamb: “A Quakers’ Meeting” (*Essays of Elia*).

³ Magdalen Hall, as our readers may note, is an entirely different foundation from Magdalen College. It had a connexion with the college throughout most of its history, and it originally occupied a site close to the college. When Hertford College came to

views concerning ecclesiastical and political matters were such as to hinder his taking the oath of allegiance and supremacy, which students were required to take on matriculation. He laid aside his academical gown and stayed on for a time at Oxford as a private student,¹ and then went abroad to a continental University.

But little is known of his movements at this time. There are two notices of them by contemporaries, but they are meagre and discordant with each other. A Mr Garrard, a clergyman, who was a correspondent of Strafford's, speaks of Vane as having been "bred up at Leyden";² while Clarendon says that he spent "some little time in France and more in Geneva."³ The matter is not one of great consequence, but we think that the probability is that Clarendon has here been guilty of an inaccuracy or had defective information. Sir Henry Vane's other sons were educated at Leyden, and this fact makes it probable that his eldest son also had gone thither for his education. Of course Vane may have travelled in France and Switzerland as well as have studied at Leyden; but certainly there is no trace of any influence upon his thoughts and character from residence in the city where Calvin had exercised so marked an authority. Some who have written upon him have spoken of the strong bent of his mind towards religion as having had its origin in some such connexion; but, as a matter of fact, Vane was much more inclined towards mysticism than towards the type of religion which Calvin represents. If he resided for any time in Geneva it is not likely that he entered on any regular course of study in the University there, as his name is not to be found in the list of students at the time when he is supposed to have been in that city.⁴ The period, indeed,

an end its buildings were occupied by the professors and students of Magdalen Hall, and Hertford College was known as Magdalen Hall until Mr Baring restored it as a College in 1874. The existing Hertford College, therefore, represents Magdalen Hall.

¹ Wood, *Athenæ*, vol. III, p. 578.

² Strafford, *Letters*, vol. I, p. 463.

³ *Rebellion*, III, 34.

⁴ Ireland, *Life of Vane*, p. 39n. No trace is discoverable of any connexion of Vane with the University of Leyden. We owe this information to Professor Bussemacher of Leyden, who has made careful search into the matter.

of his residence there can have been but short, for in 1631, when he was not more than eighteen years of age, he was sent by his father to Vienna in the company of the English Ambassador, Sir Robert Anstruther, with the view of his being employed in the diplomatic service.

In the Public Record Office in London there are a number of letters in French, interspersed with cipher, which were written by Vane to his father during his stay at Vienna and on his journey home. They show that he was in the full confidence of the diplomatic circle in which he moved, and that he took a profound interest in the public life of his time; but they yield very little information regarding his own life and opinions.

The Thirty Years' War—that appalling contest in which seas of blood were shed and the flourishing provinces of Germany devastated—passed through one of its most critical phases during the time of Vane's residence abroad. Eight months before his arrival in Vienna Gustavus Adolphus had landed in Germany and begun that heroic career which was so soon to be closed on the field of Lützen. For a time he could do little beyond securing a base of operations on the southern shore of the Baltic in Pomerania and urging the reluctant Protestant Electors of Brandenburg and Saxony to co-operate with him. The resistance of the latter to an alliance hindered Gustavus from being able to save Magdeburg from capture and sack—an incident scarcely exceeded in horror in the annals of war. This dreadful event had happened soon after Vane's arrival in the Austrian capital. The Protestant Princes were now driven into an alliance with the Swedish King. Tilly, the Imperialist general, who had superseded Wallenstein, was heavily defeated at the Battle of Breitenfeld, near Leipzig, and Gustavus marched south "with all Germany, except the hereditary dominions of the House of Austria, at his feet."¹

All through the letters of Vane to which we have referred we find allusions to the great object of desire on

¹ S. R. Gardiner, *The Thirty Years' War*, p. 148: Trench, *Gustavus Adolphus* I, II.

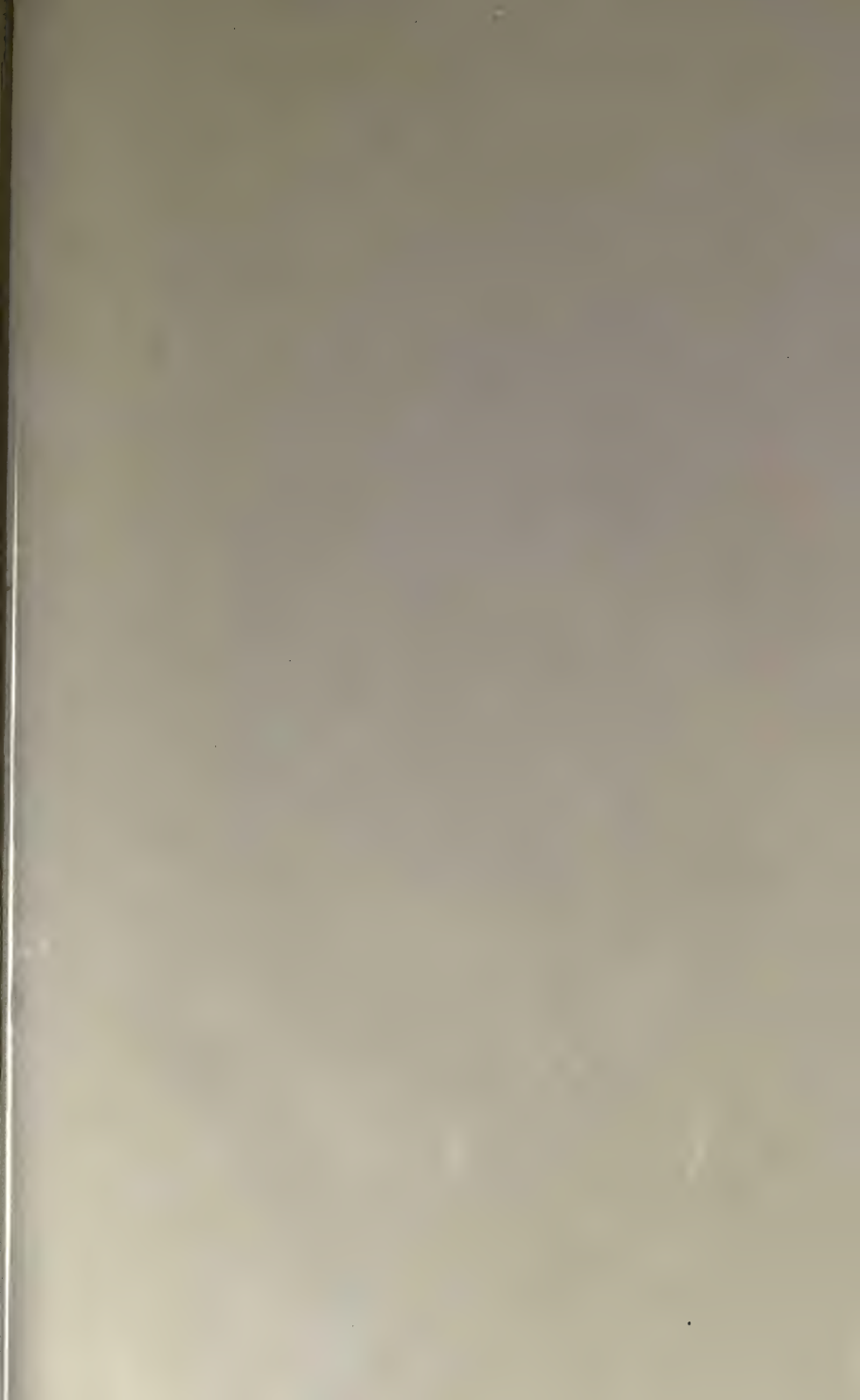
the part of the English Government for so many years—the restoration of the Elector Palatine to the dominions from which he had been driven. The matter was pressed by the English Ambassador, Sir Robert Anstruther, upon the Emperor and his advisers, at the very time that the elder Vane, as an Envoy to Gustavus Adolphus, was endeavouring to secure the same end by a proposed alliance with Sweden. Both attempts, we need scarcely say, proved futile.¹

The allusions which the younger Vane makes in his correspondence to his own experiences of travel and of residence abroad are very slight. In a letter from Nuremberg he speaks of his coach having been overturned in a stream and of his clothes, books, papers, and other property having been almost completely ruined by the accident. In the same letter he tells of courtesies shown him in that city by the magistrates and by other distinguished personages. His voyage from Rotterdam to England on his return in the February of 1632 was not accomplished without difficulty and danger. He crossed over in a small pink, and after losing sight of land for three days and nights—the weather being stormy and the pilot unskilful—he reached Margate in safety. Immediately on his return he brought his dispatches to the King. “His Majesty,” he says, “was pleased to give me a gracious and attentive audience . . . and told me that I had acquitted myself well.”²

Vane was now well prepared for entering on public employment of a more important kind, if he had been willing to accept it. On 29 March, 1632, Sir Tobie Matthew, who had been Bacon’s friend and correspondent, writes to the elder Vane, who was then on the Continent, and gives him some account of his eldest son. The latter had been somewhat indisposed, in consequence of some of his recent travelling experiences. He says: “Your Lordship’s family is in perfect health, except the indis-

¹ Green, *Lives of the Princesses*, vol. V, pp. 488–504; Gardiner, *History of England* vol. VII, pp. 188–205; Rushworth, *Collections*, part I, vol. II, pp. 107, 129, 166–74.

² *S. P. Foreign, Germany*, vol. VIII, p. 116; *S. P. Dom.*, Chap I, vol. 211, fo. 18.





Vane Father and Sonne.

position of your son. Believe me, my Lord, I find him extremely improved and very worthy of his father. His French is excellently good, his discourse discreet, and his fashion comely and fair, and I dare venture to foretell that he will grow a very fit man for any such honour as his father's merits shall bespeak, or the King's goodness impart to him."¹

But this prediction was doomed to be falsified. Vane's political and religious views were opposed to those which prevailed in Court circles. Royalist writers at a later time were fond of relating a story to his discredit to explain his supposed hostility to Charles I. The story is related in various ways, but the most credible form in which it appears is as follows. Charles I endeavoured to restore the state and decorum of the Court which had suffered during his father's reign and hung up orders in various rooms forbidding persons below a certain rank to enter them. "It may not be amiss," says our informant, "to mention one instance by which it will appear how rigorous an observance was exacted to these orders, and easy to imagine what might be the consequences of such rigour. Sir Henry Vane, the younger, coming into one of the rooms assigned to Peers and Privy Councillors, was surprised, whilst he was in discourse, with the news of the King's coming, and this so suddenly that he had not time to get out of the room. There was in it what was called in those days a livery cupboard, on which was generally placed some valuable utensil or statue, and there hung from the top to the bottom a large carpet, or hanging, which covered it. Sir Henry, in his surprise, got behind the carpet; but the King, seeing it bulge out or observing something to stir behind it, poked him out with his cane. When he saw Sir H. Vane he was very angry, held his cane over him, and (as some say) struck him with it, an outrage which that gentleman never forgave."² There is no inherent improbability in the story. If anything of the kind

¹ *S. P. Dom.*, 1631-3, vol. CCXIX, p. 64.

² *Carte, Life of Ormond*, vol. I, p. 356.

actually occurred it was probably an incident in his childish or boyish experience of Court life. Charles I, we are told, was unwilling to allow the wives of any of his great officers to reside at Court, but an exception was made in the case of the elder Sir Henry Vane.¹ There is nothing unlikely in the conjecture that his son, while on a visit to his parents or while resident with them, within the precincts of the palace, might have strayed into a room where he had no business to be, might have met with the King there and behaved in the manner ascribed to him. He was, it will be remembered, only a boy of twelve at the date of Charles's accession. Certainly it is not probable that the incident belongs to the period in his life to which we have now come. But apart from mere conjecture on the point we have his own definite statement that at the interview with Charles on his return from the Continent he was treated with respect and favour. It was, indeed, proposed at the time to procure for him a post in immediate attendance upon the Sovereign.² But by his own definite choice this scheme was abandoned. For it was upon his return to England in 1632 that his pronounced opinions in matters political and ecclesiastical alienated him both from his father and from the ruling authorities in the country. These divergences had existed, to some extent at any rate, before he left England, but now they were fully developed. Clarendon says: "After his return into England he contracted a full prejudice and bitterness against the church, both against the form and government and the liturgy, which [latter] was generally in great reverence, even with many of those who were not friends with the other."³

¹ Warwick, *Memoirs*, p. 67 (ed. 1813).

² *S. P. Dom.*, 1631-3, pp. 266, 278.

³ *Rebellion*, IV, 34.

CHAPTER II

Vane's religious temperament—Condition of England at this time—Laud's career and ecclesiastical policy—Strafford's career—Vane's relations with Laud—He decides to go to New England—And applies to the King for leave to settle there.

From what we know of his after history, in which Vane was often not merely in a minority but in isolation, the nature which early awoke to the claims of the spiritual world had from the first a strongly marked character of its own, and owed little to its environment, except in the way of revulsion from that which it instinctively felt to be alien from itself. To him the Church as an organization in any of its outward forms seems to have made no appeal. He moves as a stranger through the Protestant communities on the Continent, is in conflict with the Church of Rome, the Episcopacy of Laud, and the Puritanism of New England, and refuses subjection to the Presbyterianism of Scotland. The principle of toleration was firmly rooted in Vane's nature, and it would be hard to say whether Geneva or Rome, Canterbury, or Edinburgh, or Boston, in those days hated it most. The waters of mutual enmity were not abated and the dove of peace as yet could find no rest for the sole of her foot. When afterwards, near the end of his life, he was in prison he wrote *An Epistle General to the Mystical Body of Christ*, and in it he describes the true Christian in words which both indicate this attitude of isolation and the fervour of his own piety. "The Kingdom of

God," he says, quoting from the Gospel, "is within you; and is the dominion of God in the conscience and spirit of the mind. . . . This Kingdom of Christ is capable of subsisting and being managed inwardly, in the minds of His people, in a hidden state, concealed from the eye of the world. By the power thereof, the inward senses or eyes of the mind are opened and awakened, to the drawing of them up to a heavenly converse, catching and carrying up the soul to the throne of God, and to the knowledge of the life which is hid, with Christ, in God. Those that are in this Kingdom, and in whom the power of it is, are fitted to fly with the Church into the wilderness, and to continue in such a solitary, dispersed, desolate condition, till God calls them out of it. They have wells and springs opened to them in this wilderness, whence they draw the waters of salvation, without being in bondage to the life of sense."¹ This temper of mind, we are convinced, distinguished him from the first and was reflected in his political opinions and attitude. A certain consistency and tenacity of principle mark him all through his career and testify to a conception of the world (*weltanschauung*) early formed and virtually the same from beginning to end. Such a type of character has, of course, its limitations and weaknesses, and is apt to be misunderstood and to provoke intense unpopularity. So was it with Vane. He was for some time probably the most bitterly hated man in England, though in the end a sense of his integrity and an admiration of his unflinching courage entered the public mind and to a large extent reversed the impressions of him previously formed.

At this point, perhaps, we may be allowed to give some account of the condition of England at the time and to dwell more particularly upon the ecclesiastical policy with which Vane found himself in conflict. The strife between despotism and liberty which had several times reached an acute stage in the reign of James I had been

¹ P. 73.

maintained from the very beginning of that of Charles I. The resistance of the Sovereign to the popular will is indicated by the fact that within the first four years of Charles's reign three separate Parliaments had been summoned and dissolved, although for nearly half that time Parliament did not meet at all.¹ In a proclamation issued immediately after the dissolution of the Third Parliament Charles announced, in no obscure terms, that for the present no other would be summoned and that he would consider it "presumption for anyone to prescribe to him any time for the calling of that assembly."² Had the Sovereigns, who seemed so bent upon establishing arbitrary government, been careful to give their subjects no just cause of offence in their management of public affairs, their views as to the absolute power belonging to their office might have provoked but little opposition, and have been regarded as an abstract theory of academical rather than of practical interest. But this was far from being the case. The grievances of which the nation had to complain were numerous and varied, and called for a limitation of that royal authority from the reckless use of which so many of them seemed to spring. That the nation was labouring under no delusion in believing that there were serious evils afflicting them and that they originated from this source is evident from a glance at the list of grievances afterwards drawn up—toleration of dangerous religious errors at home, neglect of Protestant interests abroad, maladministration of public affairs, illegal methods of taxation, forced loans, billeting of soldiers upon private citizens against their will, and oppressive conduct towards those who resented injustice.³

The obvious difficulty in the way of Charles was the fact that the revenue for meeting the expenses of government was under the control of Parliament, and that at

¹ I.e. from 16 June, 1626, to 2 Mar., 1628.

² *Old Parl. Hist.*, vol. II, p. 525.

³ Rushworth, *Collections*, part 2, vol. II, pp. 1131-36.

present the principal source of it, customs' duties, was voted for this purpose from year to year. "Tonnage," a duty upon wines imported, and "poundage," an *ad valorem* duty on all other merchandise, had, indeed, since the time of Edward IV, been granted to every King for the whole period of his reign. Charles I resented bitterly the limitation of the grant in his case to a year. He considered that the grant was a mere form, and that he was entitled without it to that which had been enjoyed by his predecessors for the past hundred and fifty years and that he might levy the duty in his own name.¹ On the other hand, just before the dissolution of the last Parliament a resolution had been carried in the House of Commons to the effect that anyone who counselled the taking of this revenue without an Act of Parliament should be accounted "a capital enemy to the King and the Kingdom," and that even those who paid the duties in these circumstances were equally guilty as "betrayers of the liberty of the subjects."² Three years had passed since that day and the experiment of governing the country on a purely despotic method was still in full operation and was apparently successful. Eight years more were to elapse before it was to break down hopelessly and Charles was to be compelled to return to something like constitutional government. The fact that in his own opinion and in that of a certain section of his people he had a moral, though not a strictly legal, right to the revenue in question enables us to understand how such a high-handed course of procedure could have been tolerated for even six months. Had he been able to make this revenue suffice for the expenses of government and not been forced to supplement it by glaringly illegal methods of taxation, and had he not exasperated the feelings of the nation in other ways, this quarrel between him and his Parliament might not have excited more than a languid interest in the country at large.

Two men there were who were found bold enough

¹ *Old Parl. Hist.*, vol. II, p. 442.

² *Ibid.*, vol. II, pp. 487-91.

to earn the title of "betrayers of the liberty of the subjects," and to secure for themselves a death-penalty if Charles's despotic power should be crippled. These were Dr Laud, Bishop of London, soon to become Archbishop of Canterbury, and Sir Thomas Wentworth, afterwards Earl of Strafford. Unfortunate they both were, not only because they lent themselves as instruments of a tyrannous rule, and met the fate they had so deliberately incurred, but because they placed at the disposal of that rule great talents, which might in happier circumstances have obtained for them enduring fame as benefactors of both Sovereign and people. Early in this reign an Oxford scholar got into trouble for saying that the King was better fitted "to stand in a Cheapside shop, with an apron before him and say, 'What lack ye?' than to govern a kingdom."¹ But no one could with justice say the like of these ministers of his.

In order to understand Laud's position, the support he found in his ecclesiastical policy, and the opposition he provoked, we need to remember that the Church of England from the Reformation down to the present day has included two great and discordant parties. There is that of those who are in a large measure in sympathy with the Church of Rome—a sympathy by no means reciprocated. They deplore their division from that Church and ever seek to assimilate themselves to it in doctrine, and ritual and spirit. And there is that of those who are zealous Protestants and express loathing for everything characteristic of Rome. The mutual aversion felt by these two parties might have driven them to separate from each other, but for the fact that the former of them by accepting Articles which are heretical according to the Roman standard, and by being actually schismatical in relation to that Church, impart an air of affectation and unreality to their whole position and nullify their repudiation of the name of Protestant.² So great in the beginning of the seven-

¹ Birch, *Court and Time of Charles I*, vol. I, p. 431.

² Anglican orders are disallowed by the Church of Rome, not on the ground that the Church of England is heretical and schismatical, but on the ground that the line of apostolic succession in the Church of England has been broken. Neither heresy nor

teenth century was the disorder which this state of matters had produced that Laud found an abundant field for his energy in dealing with it. He was so successful in his operations that the party whose cause he espoused and vindicated has retained an influential position in the Church to this day.

At the time of which we are now speaking, early in 1632, Laud was a man of fifty-nine years of age. He was Bishop of London and Dean of the Chapel Royal, and had already occupied the See of St David's and that of Bath and Wells. He was also Chancellor of the University of Oxford, and in the following year he was appointed Archbishop of Canterbury. In the same week in which he received the last-named preferment he was offered a cardinal's hat—an offer repeated to him a fortnight later.¹ A short account of the character of the man whose career was so remarkable and whose death was so tragic may not be unwelcome to our readers.

Laud was curiously lacking in sympathy, imagination and humour. He was apparently unable to understand the position of those who differed from him and inclined to deal harshly with them, not because of cruelty of disposition on his part, but because of his unbounded belief in the curative power of rigid discipline. Like many of his fellow countrymen he had no patience with abstract thought or mystical speculation, though he had an acute mind and considerable powers of reasoning. He was eager for Christian unity, but he believed that the way in which to secure it was to insist upon outward uniformity. His love for order and decorum was a burning passion, and deficiency in these matters aroused in him that anger which many think should be reserved for moral offences. The etiquette which is useful in the palace to preserve the majesty of a King from violation, it was his desire to establish in the Church in order to secure

schism is a bar to the validity of orders. The Church of Rome recognizes the orders of the Coptic Church, though it is heretical, and of the Jansenists, though the latter are schismatical.

¹ Laud, *Diary*, p. 40: Whitelock, *Memorials*, p. 18.

a similar benefit, and he identified obedience to rubrics with that "beauty of holiness," of which he so often spoke. He was fully persuaded that religious ceremonies trained the souls of men—that kneeling taught humility and that bowing at the mention of a Divine name produced reverence. The zeal of others of his time for a religion in which elaborate outward forms were ignored or were found a hindrance to spirituality,¹ was utterly unintelligible to him, and their fierce dogmatism irritated a temper which was naturally quick and easily provoked. Yet he cherished enmity for none save such as opposed his opinions and were, therefore, as he thought, the enemies of God.

The chaotic condition of the Church of England of those days provided him with an ample field for a campaign against disorder, neglect and want of symmetry, and he devoted himself to his task with inexhaustible energy, eager to leave no corner unswept and no detail unregulated. It is only due to him to say that none of the unpopularity he provoked arose from his seeking to secure any private ends of his own, from vain-glory on his part or desire of gain.² Much of it he would have avoided if he had been better acquainted with the ways of the world—a kind of knowledge which his narrow and unsympathetic nature made it impossible for him to acquire. Yet none but a superficial critic would dismiss Laud with

¹ We may take as a fair statement of the spirit of Puritanism the following words: "I believe that the ultimate secret of Puritanism is to be found in the intensity and vividness with which it has apprehended the immediate relationship of the regenerate soul to God. To the ideal Puritan God is near at hand. He has seen God and is wholly possessed with a sense of the Divine greatness, holiness, and love. For him old things have already passed away and all things have become new. His salvation is not remote, he is already reconciled to God and his citizenship is in heaven. He is akin to God through a supernatural birth and is a partaker of the Divine nature. All interference between himself and God he resents. He can speak to God face to face" (R. W. Dale, *Essays and Addresses*, p. 250).

² May says of Laud: "He was a man vigilant enough; of an active, or rather of a restless mind; more ambitious to undertake than politic to carry on; of a disposition too fierce and cruel for his coat; which, notwithstanding, he was so far from concealing in a subtle way that he increased the envy of it by insolence. He had few vulgar or private vices, as being neither taxed of covetousness, intemperance, or incontinence; and, in a word, a man not altogether so bad as unfit for the state of England" (*History of the Long Parliament*, p. 28).

scorn as a mere compound of pedantry, bigotry and superstition.¹ His strength lay in the fact that he saw with clear vision one permanent aspect of the Church of Christ and strove with all his might to impress its image upon that section of the Church in which he occupied a position of such great authority. It may be said of him, as it has been said of Dante, that "no one ever inclined with more simplicity and reverence before that long communion and consent in feeling and purpose, the *publicus sensus* of the Christian Church."² And along with this, and as a consequence of it, he realized the fact that various types of saintliness and manifold tendencies of theological thought are not only to be permitted but to be welcomed in any community that claims to be a branch of the visible Church. Hence he was the friend and patron of latitudinarians like Hales and Chillingworth, and of Calvinists like Hall and Davenant³—theologians whose doctrinal positions differed widely from each other, but who were all distinguished by learning, ability and devoutness. In these two aspects of continuity with the past and of doctrinal comprehensiveness the Church of England to this day bears the mark of his plastic hand. Had he not meddled in politics and become the adviser and agent of a Sovereign who trampled upon popular liberties his claim to a place of high honour in the history of his nation could scarcely have been disputed.

The other agent of Charles in maintaining his despotic rule was a man of greater personal dignity than Laud but of a less complex character. Sir Thomas Wentworth, afterwards Earl of Strafford, was now a man of some thirty-nine years of age. He had sat in the Parliaments of 1614 and 1621 as member for Yorkshire. He had supported the popular side and been one of the fiercest opponents of Buckingham. So pronounced was his

¹ Cf. Macaulay, *Essay on Nugent's Hampden*.

² Church, *Dante*, p. 87.

³ Both Hall and Davenant had Puritan sympathies. The latter was Bishop of Salisbury, For an account of him see Fuller, *Church History*, vol. III, p. 418: also *Worthies*, vol. II, p. 359.

resistance to the policy of Charles I, of whose Parliaments also he was a member, that he had even suffered imprisonment for a short time in 1627 in consequence of his refusal to pay his quota of a forced loan. The following year witnessed his "great apostasy." That this phrase is not too strong is proved by two letters in his published correspondence.¹ They show that he made overtures to the Court, the non-acceptance of which at the time was followed by a display of patriotic zeal in the House of Commons.² We can scarcely doubt that he desired to impress upon the Court the fact that one who was so formidable an enemy would be worth securing as a friend. At any rate, after the dissolution of Charles's Third Parliament his services were accepted. He was created Baron Wentworth, a Privy Councillor and President of the Council of the North, and in 1633 he was appointed Lord-Deputy of Ireland. Yet though there are circumstances in his life which cast a slur upon his reputation he is one of the most imposing figures in our history. His undaunted courage, his ambition, his splendid administrative ability, his arrogance, his eloquence, and even the "proud glouming countenance" with which he strode into the House of Lords to confront his enemies when the hour of retribution had arrived, will never fail to impress the imagination.³ With both Laud and Strafford, Vane had close relations. He came into collision with Laud about this time, and some years later, singularly enough, it was in consequence of evidence which he furnished that Strafford was adjudged worthy of death.

The former of these incidents was occasioned by the position which Vane took up in ecclesiastical matters. His firm conviction that the Roman Catholic Church was apostate—a conviction which his residence in Roman Catholic countries had not dispelled—inclined him to

¹ Strafford, *Letters*, vol. I, pp. 34, 35.

² Rushworth, *Collections*, part 1, vol. I, p. 500.

³ Baillie, *Letters*, vol. I, p. 272: Sanford, *Studies and Illustrations of the Great Rebellion*, p. 312.

regard everything as odious which reminded one of it. The arguments from the Fathers and from antiquity in favour of Episcopacy he thought nullified by the fact that they would serve to support the Papacy. The ground upon which the Papacy stood being rotten, Prelacy must rest upon a similar foundation. Church government was, in his opinion, that which served to advance the reformation and growth of religion, and if one form of it became effete it might be superseded by another.¹ Sacraments, though valuable aids to devotion, if rightly regarded, were liable to be treated with superstitious respect, and a zealous Christian might from sheer reverence for true religion omit the observance of them. Hence it was, we are told, that for two years after his return to England he did not receive the sacrament of the Lord's Supper, because he could find no one who would administer it to him as he stood to receive it.²

The position taken up by one so prominent in society as Vane was, and one whose father stood in such close relations with the Court, could not fail to attract attention. Very speedily strong influences were brought to bear upon him to induce him to submit to the dominant party. The attention of Charles himself and of Laud was called to the matter. "It was," says Sikes, "suggested by the Bishops to the King concerning him, that the heir of a considerable family about his Majesty was grown into dislike of the discipline and ceremonies of the Church of England, and that his Majesty might do well to take some course about him. On this the then Bishop of London took him to task, who seemed to handle him gently in the conference, but concluded harshly enough against him in the close."³ Religious controversy is well known to be, as a rule, unsatisfactory, as the matters discussed are not purely intellectual, but bound up with feelings and

¹ See his speech in 1641 on the Bill against Episcopal Government given in Forster's *Life of Vane*, p. 400.

² Strafford, *Letters*, vol. I, p. 463; *S. P. Dom.*, 1635: 18 Sept.: Garrard to Viscount Conway.

³ *Life*, p. 8.

prejudices over which reasoning bears but little sway. But apart from this, Laud was by temperament very poorly qualified for dealing with a case of this kind, in which his opponent's opinions and tone of mind were the very antipodes of his own. It is, therefore, not surprising to learn that in the interview between the two though he began with suavity he ended with harshness.

The diplomatic service being virtually closed to Vane because of his politics being of a different complexion from those of the Court, he was somewhat at a loss how to employ himself. From one of his letters to his father, written from Vienna, it would seem that the latter had been anxious for him to enter the army, probably in the service of one of the Protestant States on the Continent, and that he was unwilling to do so. In the letter in question he speaks as if the scheme were one which his father had very much at heart and expresses great regret at being unable to acquiesce in it, but he declares that his natural disposition and feelings are wholly averse from a military life.¹ Nor did he succeed in overcoming this aversion, though, as we shall see, he was on one or two occasions forced by the pressure of circumstances to have some connexion with military matters. The fact might seem to suggest a certain deficiency in physical courage, and indeed some such charge was made against him in the loose current slander of his time.² The charge scarcely deserves serious investigation. The story of his life will show that moral courage was one of the most striking and splendid qualities in his character. Nor was physical courage lacking to him when he was placed in circumstances demanding it.

Vane's position in England now became intolerable, and his thoughts turned to the New World across the western ocean in which at that time so many were taking refuge.³ The stream of Puritan emigration by which

¹ *S. P. For., Germany*, vol. VIII, p. 19.

² *Somers, Tracts*, vol. VII, p. 92.

³ *Mass. Hist. Soc. Proceedings*, vol. XII, p. 246.

the New England States were colonized belongs, indeed, to this period, when, with the apparent cessation of Parliamentary government in England such a dark and ominous cloud hung over public life. A few days before Charles announced that he would dispense with Parliaments in time to come he had granted the charter which founded the State of Massachusetts, and very speedily steps were taken to colonize the new territory. The very choicest elements of English society were found among those who offered themselves for this undertaking—"men driven forth from their fatherland not by earthly want, or by the greed of gold, or by the lust of adventure, but by the fear of God, and the zeal for a godly worship."¹ Among these Vane had a place, and this fact was one of many which seemed to indicate that men of the highest rank were beginning to join in the movement. "Lord Warwick secured the proprietorship of the Connecticut valley. Lord Saye and Sele and Lord Brook began negotiations for transferring themselves to the New World. Hampden purchased a tract on the Narragansett. The growing stream of meaner emigrants marks the terrible pressure of the time. . . . During the ten or eleven years before the meeting of the Long Parliament twenty thousand Englishmen had found a refuge in the West."²

It is not to be supposed that Vane's decision could be formed or carried into effect without much anxiety and distress of mind on his part. His father, too, was very reluctant to consent to it. The latter, apart from other considerations, was an ambitious man who had built up a large fortune and attained a high position in public life. His satisfaction in his success must have been greatly diminished in consequence of this course of

¹ Green, *Short History of the English People*, chap. VIII. sect. 4. The fact that ecclesiastical tyranny drove numbers to emigrate is openly acknowledged in a royal proclamation of 30 April, 1637: "The King being informed that great numbers of his subjects were yearly transported into New England with their families and whole estates, *that they might be out of the reach of ecclesiastical authority, commands,*" etc. (Rushworth, *Collections*, vol. II, part 2, p. 410).

² Green (*l.c.*)

action on the part of his eldest son. It was, indeed, only at the express command of Charles I that he consented to allow the latter to go to New England.¹ Two contemporary letters give us a glimpse of this aspect of matters, and one of them ascribes some of the blame to leaders of the popular party. Mr Garrard, Strafford's clerical correspondent, says in a letter to the Lord Deputy of Ireland "Mr Comptroller Sir Henry Vane's eldest son hath left his father, his mother, his country, and that fortune which his father would have left him here, and is for conscience' sake gone into New England, there to lead the rest of his days, being about twenty years of age. . . . I hear that Sir Nathaniel Rich and Mr. Pym have done him much hurt in their persuasions this way. God forgive them for it, if they be guilty."² These persons by whom Vane was said to have been unduly influenced were both deeply interested in the American colonies.³ Sir Nathaniel Rich was a merchant-adventurer connected with four or five companies for the colonization of different parts of North America. Pym, the famous politician, whom Vane afterwards succeeded as leader of the House of Commons, was at this time engaged in promoting similar schemes. He was one of those to whom patents had been granted in connexion with the planting of colonies in Connecticut and Providence, and, indeed, he would himself have gone out to the New World at this time but for some accidental hindrance. "Preparations were made," we are told, "for a western voyage—the vessel provided and the goods ready to be carried aboard—when an unexpected and almost a miraculous providence diverted that design in the very nick of time."⁴ The same gossiping writer who reported Vane's movements to Wentworth says to another of his correspondents: "Sir Henry hath as good as lost his eldest son, who is gone into New England for

¹ Winthrop, *History of New England*, vol. I, p. 171.

² Strafford, *Letters*, vol. I, p. 463.

³ D. N. B. "Rich," "Pym."

⁴ *Sermon* by T. Cave (1642).

conscience' sake; he likes not the discipline of the Church of England, . . . no persuasions of our Bishops nor authority of his parents could prevail with him. Let him go."¹

His own view of matters is given in a letter to his father, in which he asks the latter to obtain from the King a license for settling in New England. "My humble suit," he said, "is that you will be pleased to dispatch my pass with his Majesty, and if you shall so think fit, to vouchsafe me by this bearer an assurance from yourself that you have really resolved this place for me to go to, that I may without farther protraction of time prepare myself effectually for it with things suitable for the place. And, Sir, believe this from one that hath the honour to be your son (though, as the case stands, judged to be a most unworthy one), that howsoever you may be jealous of circumventions and plots that I entertain and practise, yet that I will never do anything by God's good grace, which both with honour and a good conscience I may not justify or be content most willingly to suffer for. And were it not that I am very confident that as surely as there is truth in God, so surely shall my innocency and integrity be cleared to you before you die, I protest to you ingenuously that the jealousy you have of me would break my heart. But as I submit all other things to the disposal of my good God, so do I also my honesty among the rest, and though I must confess I am compassed about with many infirmities, and am but too great a blemish to the religion I do profess, yet the bent and intention of my heart I am sure is sincere, and from hence flows the sweet peace I enjoy with my God amidst these many and heavy trials which now fall upon me and attend me: this is my only support in the loss of all other things, and this I doubt not of but that I have an all-sufficient God, able to protect me, direct me, and reward me, and which in His due time will do it, and that in the eyes of all my friends."²

¹ Letter to Viscount Conway, *S. P. Dom. Charles I*, vol. CCXVIII.

² *Mass. Hist. Soc. Proceedings*, vol. XII, pp. 245, 246.

It is gratifying that the ardent faith and confidence in God expressed in this touching letter were not the illusions of a mind seeking to justify its own wilfulness. Many years after this, when Vane was upon the scaffold, his retrospect of this episode in his life was suffused by the same devout feelings. The God in whom he had trusted had not suffered his faith to be put to shame. "Since that foundation of repentance laid in me," he said, referring to his early religious experiences, "through grace I have been kept steadfast, desiring to walk in all good conscience towards God and towards men, according to the best light and understanding God gave me. For this I was willing to turn my back upon my estate, expose myself to hazards in foreign parts, yea, nothing seemed difficult to me, so I might preserve faith and a good conscience, which I prefer before all things: and do earnestly persuade all people rather to suffer the highest contradictions from men, than disobey God by contradicting the light of their own conscience. In this it is I stand with so much comfort and boldness before you all this day and upon this occasion."¹

¹ *The Trial of Sir Henry Vane* (1662), p. 87.

CHAPTER III

Character of New England emigrants—Their unwillingness to grant religious toleration—Vane sets sail for America—Some of his fellow-passengers—His arrival in New England—His cordial reception there—Chosen as Governor of Massachusetts—Theological disputes—Difficulties raised by Mrs Hutchinson—Vane desires to resign office.

The fact that Vane was to a large extent disillusioned and disappointed by his American experiences may seem strange to many of our readers. One would have thought that if he had found the spirit of the Court uncongenial his present associates would be exactly to his mind. That this was not altogether the case admits of a very simple explanation. To the ordinary motives leading men to emigrate into new countries was added at this time in England, as we have said, the desire to obtain freedom to worship God in ways forbidden at home. Many persons influenced by this desire were doubtless both exemplary in conduct and attractive in disposition; but mere possession of conscientious scruples as to the ecclesiastical forms and ritual established by law was not of necessity a guarantee of the possession of either of these qualities. Angularities of nature, rancorous dispositions, spiritual pride, censoriousness, obstinacy, and an inclination to magnify personal likes and dislikes into principles, might, and no doubt did distinguish many who sought in New England and other colonies a liberty which was denied to them at home. From the very nature of things this was bound to be the

case; and consequently only a simple-minded or inexperienced person need be astonished at finding among those to be admired for their heroism in facing perils of the sea and of the wilderness in order that they might serve God in accordance with the dictates of conscience, some or many with whom it would be very unpleasant to have much intercourse. A society largely consisting of those who had left home or been driven from it for conscience' sake was bound to be difficult to manage. Nor need any grief be wasted over the existence of such a condition of matters; for, after all, life with its varied phenomena, uncomfortable though some of them may be, is infinitely preferable to torpor and death.

A more reasonable ground for surprise and irritation exists in the fact that many of those who sought liberty of conscience were unwilling to grant it to persons who differed in opinion from themselves. Many have spoken reproachfully of those who were guilty of this apparent inconsistency, and have ignored the fact that the problems involved in this question were of extreme complexity and difficulty, and that the persons blamed were at the beginning of the task of solving them. The very word "toleration" when first uttered excited their horror, not only as implying indifference to distinctions between truth and error, but also as exposing Church and State to dangers which might swamp them both. The Church of Rome at that period had won back province after province from the influence of the Reformed Faith, and had zealous servants who were bent upon the attempt to extirpate Protestantism. A Church that was believed to teach that no faith was to be kept with heretics, that force and fraud might be employed to accomplish its ends, and that had applauded the Massacre of St Bartholomew, was regarded as an enemy to which it seemed madness to present an open door in the name of toleration. The stringent legislation of the seventeenth century against Roman Catholicism must, indeed, be regarded as prompted by terror rather than by reli-

gious bigotry. Even in our own days, if there were a religious sect that condoned assassination and massacre and that numbered anarchists and dynamiters among its promoters, the alarm of the public would, no doubt, lead to equally stringent legislation being employed with the view of suppressing it. Probably, as in the case of Roman Catholicism, centuries would have to pass before such legislation could be fully relaxed, even if in the meantime the religious sect in question had allowed its anarchical methods of propagating religion to fall into abeyance.

Then, too, there were perversions of religion that led to the dissemination of blasphemous opinions and to the introduction of immoral practices, and it seemed suicidal as well as dishonouring to God to give free course to evils like these. In addition to such sources of disorder, there was in that period of revolution and change a section of society which seemed inclined to reject all external authority and to allow every individual to be his own King and Priest. Anarchy like this which seemed about to pull down the pillars of the Commonwealth and to overwhelm society in ruin, it seemed impossible to allow to pass unchecked. If the civil government, whatever might be its outward form, sustained the relation to its subjects of a shepherd to his sheep—a very common symbol of beneficent rule—it was surely necessary to resist the attacks of the wolf, to protect the flock from the foul contagion of disease, and to refuse to allow the crook to be wrested out of the shepherd's hands. We draw our readers' attention to these points in order to show them that the difficulties connected with toleration were by no means light, and also, as a subordinate consideration, to prepare them to understand the peculiar conditions of society in New England at the time of Vane's connexion with it.

It was in 1635 that Vane set sail in the "Abigail" for New England. She must have been a vessel of pretty considerable size, as she carried two hundred and twenty

passengers, and had among her cargo a considerable number of cattle.¹ A curious and interesting glimpse is given us by his biographer Sikes of the company on board in which he found himself. "Seeing himself," Sikes says, "on all hands in an evil case, he resolved for New England. In order to do this, striking in with some Nonconformists which intended that way, his honourable birth, long hair, and other circumstances of his person, rendered his fellow-travellers jealous of him, as a spy to betray their liberty, rather than any way like to advantage their design." And he remarks, in reference to Vane's after career in America, "but he that they thought at first sight to have too little of Christ for their company did soon after appear to have too much for them."² There is a touch of vividness in the narrative, calling up before us as it does the picture of the eager youth seeking the society of the zealous and the God-fearing, and of the doubts of the latter concerning him when they remembered his connexion with the Court of the Sovereign from whose tyranny they were flying, and saw his fashionable dress and his clustering brown hair arranged in a way suspiciously like "love-locks."³ Yet beneath that light and graceful exterior lay a gravity of disposition and a tenacity of purpose inferior to none of theirs, and a devotion to principle which would yet win for him the martyr's crown. The incident was prophetic of much in Vane's after life—of his desire to cast in his lot with the people of God and of the loneliness which it was often his fate to experience.

Among the passengers on board the "Abigail" were two very interesting personages with whom Vane was to be specially connected in the course of this episode in his career. One of these was Hugh Peters, afterwards Cromwell's chaplain and a prominent figure in English public

¹ Winthrop, *History of New England*, vol. I, p. 169.

² *Life*, p. 8.

³ Mrs Hutchinson says: "The godly of those days, when the colonel embraced their party, would not allow him to be religious, because his hair was not in their cut, nor his words in their phrase" (*Life of Colonel Hutchinson*, p. 121, Bohn).

life during the Civil War. He was a native of Treffrey in Cornwall, and was now a man of some thirty-seven years of age. He was a graduate of Trinity College, Cambridge, and had entered the Church and become a very popular preacher of the Puritan type. For a time he had had a church in London, but after Laud was appointed Bishop of London Peters removed to Rotterdam and became the minister of a Separatist congregation there. But finding even that retreat no longer safe he was now on his way to New England.¹ That he was a man of ability and of amazing energy, and that he had some gifts as an orator, will be denied by no one who has followed his career; but very serious slurs have been cast upon his moral character.² He has not been without defenders, but it is to be doubted whether they have made out their case.³ At any rate they fail to explain why his death by the hand of the executioner should have been specially hailed by the populace with cruel and exultant joy. We are inclined to think that there was a widespread belief that he was a scoundrel, and that this steeled the hearts of the mob against pity for his sufferings. But all this was in the distant future. As he was shrewd and witty, and, if he was not a good man, could at least adapt himself to the society of those of severer morals than his own, Vane may very well have found him a pleasant enough associate during the time of his voyage across the Atlantic.

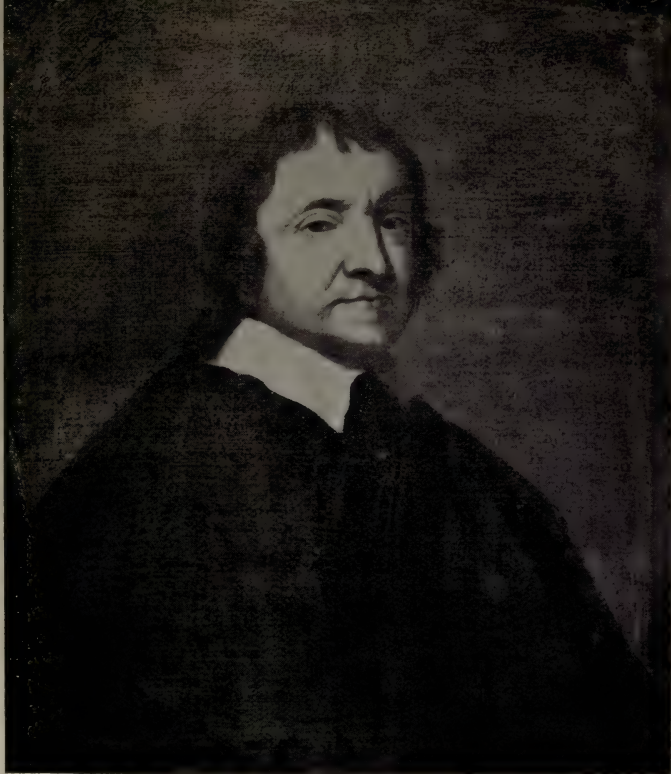
The other interesting personage to whom we have referred as a fellow passenger with Vane, was John Winthrop, a young man of twenty-nine years of age. He belonged to a Suffolk family and was born at Groton in that county. His father, of whom we shall hear more later on, the "Nehemias Americanus," as Cotton

¹ There is an extract of a letter in the S. P. office (18 Mar. 1633) from the Ambassador at the Hague, in the handwriting of Laud's secretary, referring to the uncanonical proceedings of the English congregation there.

² *Notes and Queries*, 11th series, VI, 12 Sept. 1912, and subsequent issues.

³ Both Dr Gardiner (*Civil War*, vol. II, p. 301) and Prof. Firth (*D. N. B.* "Hugh Peters") take a favourable view of his character.

Hugh Peters Chaplain to Oliver Cromwell



HUGH PETERS:
Chaplain to Oliver Cromwell.

Mather calls him, was Governor of Massachusetts.¹ He himself had just been appointed Governor of Connecticut and was upon his journey out to take up his office.² He was one of those who, in 1627, took part in Buckingham's abortive expedition to relieve the Protestants of La Rochelle. As an accomplished scholar, and a man of capacity and of experience of the world, he must have been a fascinating travelling companion for Vane. He had recently married as his second wife a step-daughter of Peters's, and they were now on their way to their home in America.³

Vane had received from Charles I a licence for three years' residence in New England; and to him, along with Hugh Peters and the younger Winthrop, a commission had been issued to make arrangements, on behalf of those who had grants of territory in Connecticut, with immigrants into that state from Massachusetts.⁴

The "Abigail" arrived out on 6 Oct., 1635, ten weeks after she had left Plymouth. The contemporary notice of her arrival mentions that the passengers had been exposed to the risk of infection by small-pox, but it expresses gratitude that they had come safely through all their perils.⁵ Vane was cordially welcomed by the colonists on the double ground of his high social position and of the sacrifice he had made in leaving home in order to "enjoy the ordinances of Christ in their purity."⁶ A certain charm of manner, too, he possessed, and this, no doubt, had its share in producing the impression which he made on the people of Boston. "He had," says Clarendon, "an unusual aspect, which, though it might naturally proceed from his father and mother, neither of whom were beautiful persons, yet made men think

¹ See notice of him in Cotton Mather's *Magnalia*.

² Trumbull, *History of Connecticut*, vol. I, p. 497.

³ She was Elizabeth, daughter of Edmund Read, of Wickford, Essex.

⁴ Winthrop, *History of New England* (ed. 1853), vol. I, pp. 203, 477.

⁵ *Ibid.*, vol. I, p. 169. Our quotations, apart from the last, are from Savage's edition.

⁶ *Ibid.*, vol. I, p. 170.

there was somewhat in him of extraordinary, and his whole life made good that imagination."¹

In tracing the course of New England history at this time two circumstances must impress every modern reader. The first is the Lilliputian scale on which matters in the new colony are conducted: and the second the prominent place which theology occupies in the thoughts of all. The settlers in the new territory which is to play such an important part in the world's history occupy scattered villages along the coast and hold very little land in the interior. They cling to the coast as the sea is the means of communication with home and with each other. Powerful Indian tribes hover about the English settlements and are now on peaceful and now on hostile terms with the new-comers. So that to all the hardships of journeying by sea, of exposure to a rigorous climate, and of subduing the stubborn wilderness, have at times to be added the perils of war with savage foes. According to the charter granted by the King to the colonists, a Governor, a Deputy-Governor, and eighteen assistants managed the affairs of the State. These met once a month to transact business, and four times in the year a Court was held to elect officials and to admit citizens to the franchise. Four years before Vane came over church-membership had been made a condition of receiving the franchise; and since then the freemen had demanded and obtained permission to choose their Governor and Deputy-Governor.²

At the first opportunity after his arrival (1 Nov., 1635) Vane was elected a member of the Church at Boston with a view of obtaining full citizenship.³ The section of English society from which the majority of the colonists were drawn had groaned under the rule of Bishops and had been out of sympathy with the Liturgy

¹ *Rebellion*, III, 34. The portraits of Vane's father and mother are given in Ireland's *Life of Vane*.

² Hosmer, *Sir Henry Vane*, p. 18. The narrative given by Hosmer of Vane's American experiences is very full and interesting.

³ Winthrop, *History of New England*, vol. I, p. 170.

in use in England, and so into their new home neither Episcopacy nor the Prayer-book had been introduced. The community, therefore, was fully democratic in constitution and spirit and was unfettered by associations with the past or by admiration for the condition of matters which prevailed in their native land.

On 3 March, 1636, Vane was chosen a freeman of the colony, but already, so informally were matters conducted there at that time, he had been appointed to act along with two others as an arbiter in settling disputes among the colonists. Within two months of his arrival in Boston, as the town records testify, this mark of public confidence in him had been shown. Under date of 30 Nov., 1635, we find: "At a general meeting [it was] agreed that none of the members of this congregation or inhabitants among us, shall sue one another at the law before Mr H. Vane and the two elders, Mr Thomas Oliver and Thos. Leverett have had the hearing and the deciding of the cause, if they can."¹ It is rather curious to notice that, democratic as this community was, respect was not refused by its members to those of social standing. Vane from the first took his seat in church among the magistrates.² The fact that at once and as a matter of course precedence was thus granted him is not without its significance.

Whether Vane gave satisfaction or not in the exercise of his office as arbiter we are not informed; but, at any rate, if he made mistakes they cannot have been serious, for on 25 March, 1636, he was appointed Governor of Massachusetts for the coming year. The appointment gave general satisfaction at the time. Winthrop says, "Because he was son and heir to a Privy Councillor in England the ships [in the harbour] congratulated his election with a volley of great shot."³ Yet the circum-

¹ Hosmer, *Sir Henry Vane*, p. 32.

² Hutchinson, *History of Massachusetts Bay*, vol. I, p. 62. He retired from the place of honour when defeated and deprived of office in 1637, though requested to retain it.

³ Winthrop, *History of New England*, vol. I, p. 187.

stances of the case were not such as to render it likely that the appointment would be a success. Vane was now only twenty-three years of age, and he had not been six months resident in the colony, so that he was seriously handicapped by his youth and inexperience for discharging the duties of the office in question. It was, indeed, unfortunate for his reputation that he accepted the appointment. The governorship of Massachusetts was no sinecure. The colony was threatened by many dangers. The charter on which the new settlement rested was threatened. An Indian war was imminent. Causes of internal dissension abounded on every hand, and the most difficult problems which the society of that age had to face came up for solution. And so it came about that, though Vane's abilities were great, and his principles enlightened and advanced, the part he took in public matters roused a deep feeling of resentment before which the popularity he so suddenly won as suddenly disappeared, and the result was that he was deprived of office and treated as an intruder and mischief-maker.

An interesting glimpse into the condition of the colony during Vane's governorship and into his own thoughts is given in a letter written to his father on 28 July, 1636. "The present face," he says, "of things here is very tumultuous. The French continually encroach, and by vending of Pieces and Powder strengthen the natives for civill warres, and gayne all the Trade. The natives themselves are very treacherous, cruell and cunning and let slip no advantages of killing and pilfering, if they may doe it and not bee discovered. The common report is also that the Pattent is damned, in which regard much unsettlement is like to grow amongst ourselves and greate discouragement to the whole plantation. For those that are truly sincere, and are come out to advance the kingdom of the Lord Jesus must either suffer in the Cause or else labour for such retreat, as God shall direct them to. In either of which cases I do

not doubt, but within 2 yeares this Plantation, which is now flourishing, would become desolate, and either possessed agayn with Indians, or emptyed by Pestilence. For it is not trade that God will set up in these parts, but the profession of His trueth; and therefore if God's ends bee not followed, men's ends will never be blessed nor attained."¹

A somewhat remarkable illustration of Vane's character and disposition was afforded by the steps which he took soon after arriving in Boston to remedy certain evils. He observed the formation of factions. Some adhered to the side of Winthrop and others to that of Dudley, both of whom had been Governors of Massachusetts. The former were inclined to lenity or laxness in carrying out the laws, and the latter to severity. Probably few men placed in Vane's position as a new-comer would have ventured to take action in a delicate matter of this kind. But it was ever his disposition to act and rule—to take the initiative without much hesitation—and, if entrusted with any office, to use the powers belonging to it with great freedom and with considerable indifference to public opinion. Popularity with those over whom his rule extended was the last thing to enter his thoughts. He had now been called to act in this new community as a public arbiter, and he at once took proceedings to hinder the spread of faction and the alienation of feeling which it brought in its train. The parties concerned, the other magistrates, and the ministers of the town, were invited to a conference. "Where," we are told, "after the Lord had been sought, Mr Vane declared the occasion of the meeting; and he desired all present to take up a resolution freely and openly with the parties and they with each other, that nothing might be left in their breasts which might break out to any jar or difference hereafter: which they promised to do." The result was much more satisfactory than might have been

¹ *S. P. Col.*, vol. IX, fo. 19: endorsed by Laud as received, 3 Oct. 1636.

expected. The free conference did much good. Laxity and slovenliness in the conduct of public business were abolished. Definite by-laws and regulations were drawn up where needed, and steps were taken to support the authority of those appointed by the community to manage its affairs. It was also decided that some measure of state and dignity should be imported into public life—"that the magistrates should appear more solemn in public, with attendance, apparel, and open notice of their entrance into the Court."¹ Within a week of his appointment as Governor Vane secured various improvements in the regulations relating to vessels visiting the port of Boston—to hinder surprise by an enemy, the introduction of contraband goods, and disorderly conduct of seamen when on shore.² The limited resources of the colony may be guessed from the fact that Vane had upon one occasion to accept a royal ensign from one of the vessels in port to hoist upon the fort, as a zealous Puritan had mutilated the only flag of the kind in his possession by cutting the cross out of it as an idolatrous emblem.³

The difficulties which sprang up in Vane's path, and which in the end drove him from New England, came from a strange and unexpected quarter, and the whole story is a curious episode in the history of the colony. Theological opinions of a different kind from those current in the community were introduced, parties were formed and strove with each other, and in the end the whole inhabitants of the colony, with the exception of the Indians, were swept into the controversy. The questions which came to be discussed and which furnished shibboleths and party cries for the contending factions, can scarcely be stated in terms readily intelligible in these days when the theological terminology used

¹ Winthrop, *History of New England*, vol. I, pp. 177-9.

² *Ibid.*, vol. I, p. 187; Hutchinson, *History of Massachusetts*, vol. I, p. 53.

³ *Ibid.*, vol. I, p. 188; Neal, *History of New England*, vol. I, p. 142.

is so unfamiliar in our ears. It may be sufficient to say that the matters indicated by "justification," "sanctification," "the covenant of faith," and the "covenant of works," were those about which the controversy raged.¹

Most of those who have attempted to give a narrative of the events in question have scarcely been able to speak with patience of the actors in them, and have virtually treated the whole episode as one in which the minds of men were suddenly seized by an amazing delusion or fit of madness. This is, however, an utterly mistaken view of matters. The occurrences in question, remarkable though they were, were the direct outcome of the theory of the State which the founders of Massachusetts had adopted, and were a *reductio ad absurdum* of it. They were, consequently, a stage in the process of the evolution of civil and religious liberty. As we have seen, the founders of this State made membership of the Church a necessary condition of the franchise, and they attempted to make the discipline by which the purity of a congregation in doctrine and life is secured applicable to civil affairs and a means for maintaining a wholesome public life. Nor were the terms of membership by any means wide enough to include all professing Christians. The doctrine involved was Protestant and Calvinistic in a very pronounced degree. The arrival, therefore, of persons holding different and presumably erroneous opinions was a matter in which both Church and State were equally concerned, if, indeed a distinction between Church and State could be said in this case to exist, and we had not to do rather with a Theocracy.

A brilliant philosophical writer of the nineteenth century has written upon the fanatical sects of the seventeenth—Antinomians, Familists, Seekers, Quakers, etc.—and his words are in striking contrast with those of vulgar critics who see in them nothing but matter for scorn and mirth. "We live, perhaps," he says, "an

¹ Winthrop, *History of New England*, vol. I, p. 213.

age too late for understanding them. The 'set grey life' of our interested and calculating world shuts us out from the time when the consciousness of spiritual freedom was first awakened and the Bible first placed in the people's hands. Here was promised a union with, a realization of God, immediate, conscious, without stint, barrier, or limitation. Here, on the other hand, were spirits thirsting for such intercourse. Who should say them nay? Who could wonder if they drank so deep of the divine fullness offered them, that the fixed bounds of law and morality seemed to be effaced and the manifestation of God, which absorbs duty in fruition, to be already complete? The dream of the sectary was the counterpart in minds where feeling ruled instead of thought, of the philosophic vision which views the moving world '*sub quadam specie eterni*.' It was the anticipation in moments of ecstasy and assurance of that which must be to us the ever-retreating end of God's work in the world. Its mischief lay in an attempt to construct a religious life, which is nothing without external realization, on an inward and momentary intuition."¹

Among those who came out to New England about a year before Vane was a Mr William Hutchinson, from Alford, near Boston, in Lincolnshire. His wife, Ann Hutchinson, was a woman of remarkable powers of mind, and deeply interested in theological questions. In temperament she was energetic and masterful, and utterly lacking in tact, good feeling, and other qualities likely to conciliate opponents whom her peculiar opinions might stir up. Her husband, as is usual in such cases, was a sort of cipher. He is described as having been "a man of very mild temper and weak parts, and wholly guided by his wife."² On the voyage out from England her peculiar opinions had attracted attention, and some hesitation was felt in admitting her and her husband to the Boston congregation; but her generous kindness to

¹ T. H. Green, *Works*, vol. III, p. 293.

² Winthrop, *History of New England*, vol. I, p. 295.

the sick and needy led to a more favourable impression being formed of her.

At that time in Boston it was a custom for religious meetings to be held on a week-day evening, at which the sermons on the previous Sunday were rehearsed with a view to the edification of all concerned. Mrs Hutchinson soon became the leading spirit at a women's meeting of the kind. She occupied the chair, was consulted as an oracle and very willingly undertook the office. Soon the sermons in question were criticized with great freedom. The learning and ability of preachers were adjudicated upon and the orthodoxy of some of them was called in question. Mrs Hutchinson's peculiar opinions might possibly be discovered by a careful examination of the materials at our disposal, if the task were worth while our undertaking. Let it suffice to say that she spoke slightly of outward shows of sanctity and laid stress upon certain inward spiritual experiences as evidence of the right standing of the soul before God;¹ and that she was considered by her opponents among other errors to have fallen into Antinomianism, or a belief that Christians are emancipated from the obligation to keep the moral law. The relations between faith and works, and the means by which the due place of each may be maintained, were, as we know, matters of difficulty in the times of the Apostles. Luther says that human reason is like a drunken peasant on horseback, for, if propped up on one side, it falls down on the other. If so we can easily believe that Mrs Hutchinson's attempt to find a *via media*—to change the metaphor—was not a success.

But to this disability, largely connected with the very nature of things, she added the fault of pronouncing

¹ One of her main positions was that the Holy Spirit dwells in every believer. No doubt this statement is capable of an interpretation by which it may be reconciled with New Testament teaching; but, as it was understood by most of those who then held it, it suggested that the Holy Spirit was an influence rather than a Divine Person—an inference which the Hutchinsonians seem to have been by no means unwilling to accept.

upon the orthodoxy of individuals, and thus of claiming infallibility in matters of fact as well as of doctrine—an assumption of authority somewhat more than papal. Disorder of a palpable kind followed upon this procedure. Thus, to take one instance—exasperating enough in itself—members of congregations were seen to rise and leave the sacred building when a Divine on whom she had passed an adverse sentence was about to ascend the pulpit. The condition of matters brought about by her is so vividly described in a contemporary pamphlet, that we cannot forbear giving our readers a somewhat long extract from it. The title of the pamphlet is, “A Short Story of the Rise, Reign, and Ruin of the Antinomians, Familists, and Libertines, that infected the Churches of New England.”¹ The following passage deals with the events with which we are now concerned.

“But the last and worst of all, which most suddenly diffused the venom of these opinions into the very veins and vitals of the people in the country, was Mistress Hutchinson’s double weekly lecture, which she kept under a pretence of repeating sermons, to which resorted sundry of Boston and other towns about, to the number of fifty, sixty, or eighty at once; where, after she had repeated the sermon, she would make her comment upon it, vent her mischievous opinions as she pleased, and wreathe [*? wrest*] the Scriptures to her own purpose; where the custom was for her scholars to propound questions, and she (gravely sitting in the chair) did make answers thereto. The great respect she had at first in the hearts of all, and her profitable and sober carriage of matters, for a time, made this her practice less suspected by the godly magistrates and elders of the church there, so that it was winked at for a time (though afterwards re-proved by the Assembly and called into court), but it held so long until she had spread her leaven so far, that, had not Providence prevented, it had proved the canker of our peace, and ruin of our comfort.

¹ The author is supposed to have been the Rev. Thomas Weld, of Roxbury, near Boston.

“These opinions being thus spread, and grown into their full ripeness and latitude, through the nimbleness and activity of their fomenters, began now to lift up their heads full high, and to confront all that opposed them.

“And that which added vigour and boldness to them was this, that now by this time they had some of all sorts and quality, in all places, to defend and patronize them; some of the magistrates, some gentlemen, some scholars and men of learning, some burgesses of our General Court, some of our captains and soldiers, some chief men in towns, and some men eminent for religion, parts, and wit. So that, wheresoever the case of the opinions came in agitation, there wanted not patrons to stand up and plead for them; and if any of the opinionists were complained of in the courts for their misdemeanours, or brought before the churches for conviction or censure, still some or other of that party would not only suspend giving their vote against them, but would labor to justify them, side with them, and protest against any sentence that should pass upon them, and so be ready not only to harden the delinquent against all means of conviction, but to raise a mutiny, if the major part should carry it against them; so in town meetings, military trainings, and all other societies, yea, almost in every family, it was hard, if that some or other were not ready to rise up in defence of them, even as of the apple of their own eye.

“Now, oh their boldness, pride, insolency, and alienations from their old and dearest friends, the disturbances, divisions, contentions they raised among us, both in church and state, and in families, setting division betwixt husband and wife!

“Oh the sore censures against all sorts that opposed them, and the contempt they cast upon our godly magistrates, churches, ministers, and all that were set over them, when they stood in their way!

“Now the faithful ministers of Christ must have dung

cast upon their faces, and be no better than legal preachers, Baal's priests, Popish factors, Scribes, Pharisees, and opposers of Christ Himself!

"Now they must be pointed at, as it were, with the finger, and reproached by name. Such a church-officer is an ignorant man, and knows not Christ; such a one is under a covenant of works; such a pastor is a proud man, and would make a good persecutor, etc.

"Now, after our sermons were ended at our public Lectures, you might have seen half a dozen pistols discharged at the face of the preacher (I mean, so many objections made by the opinionists in the open assembly against the doctrine delivered, if it suited not their new fancies), to the marvellous weakening of holy truths delivered.

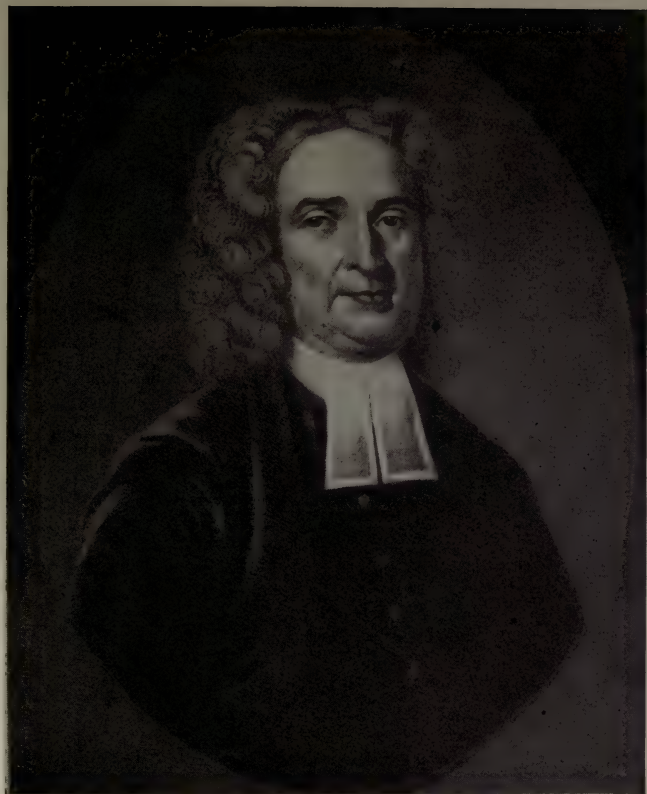
"Now you might have seen many of the opinionists rising up, and contemptuously turning their backs upon the faithful pastor of that church, and going forth from the assembly when he began to pray or preach."¹

The two ministers of the church in Boston were John Cotton and John Wilson, both men of ability, and, like many Divines of that age, possessed of gifts highly useful in conducting a religious controversy. Cotton, who was now a man of fifty-two years of age, had been vicar of Boston in Lincolnshire. His Puritan sympathies had brought him into trouble in England, and only three years before this he had crossed the Atlantic.² It was in memory of his old parish in England that the name of the town in Massachusetts in which he settled was changed from Trimontain to Boston. Wilson, his colleague, was a grand-nephew of Grindal, Archbishop of Canterbury in Elizabeth's days, whose Puritanism she had sought to check by suspension from office and imprisonment.³ These two Divines Mrs Hutchinson

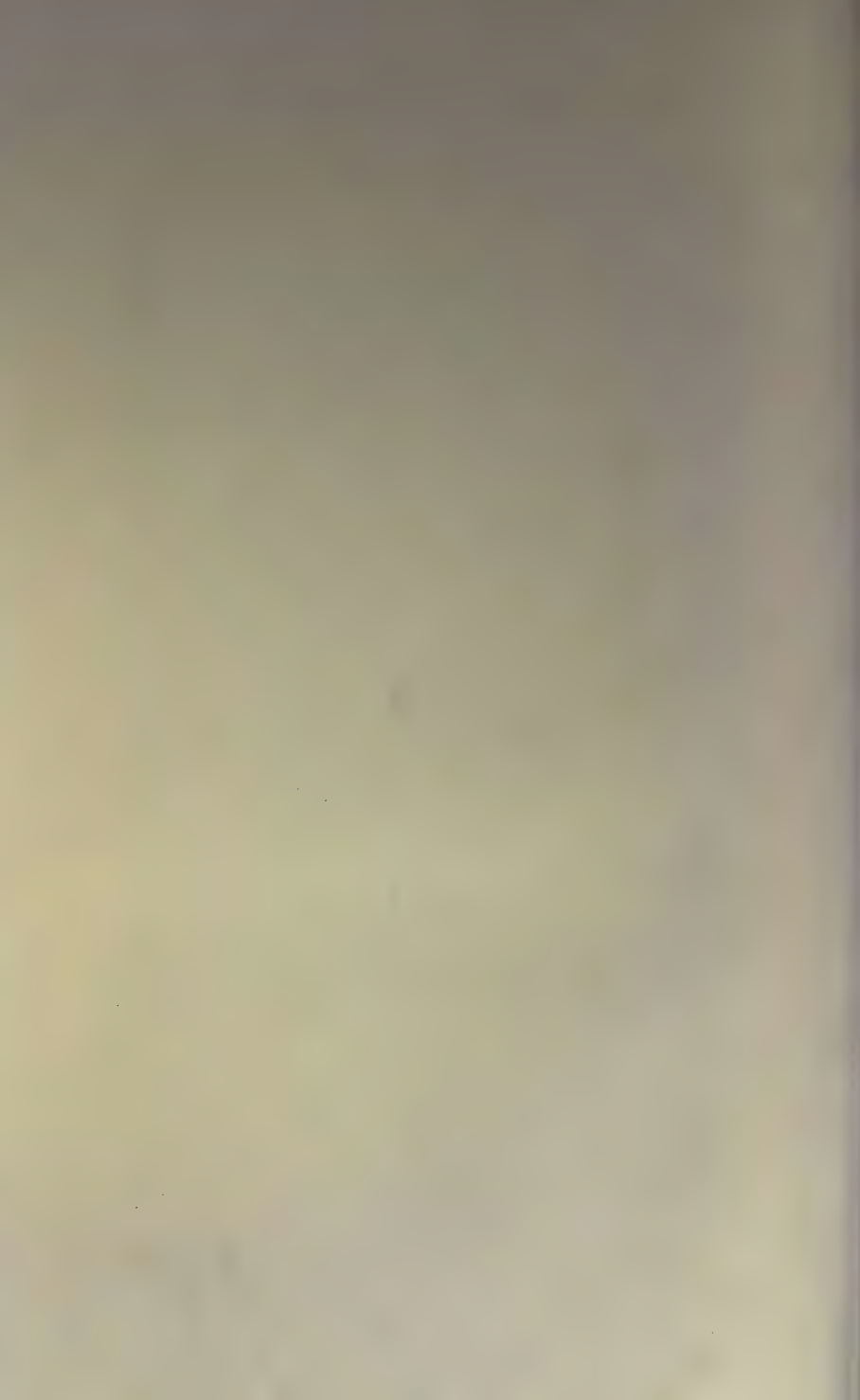
¹ Quoted in Upham's *Sir Henry Vane*, pp. 131-4 (*Spark's American Biography*, vol. IV).

² Neal, *History of the Puritans*, vol. II, p. 253.

³ See references to him in Spenser's *Shepherd's Calendar*, May and July: Neal, *History of the Puritans*, vol. I, p. 314.



JOHN COTTON



managed to embroil with each other by announcing that Mr Cotton preached "a covenant of faith," but that his colleague was under "a covenant of works."¹

Vane was one of Mrs Hutchinson's supporters. His tendency to mysticism caused him to find this new teaching more attractive than anything he had yet heard; and if in that teaching there was an admixture of the intellectual error to which the name of Antinomianism has been given, the aberration in question has in all ages been noticed as a characteristic of mysticism. But, apart from this sympathy with the peculiar opinions taught, the idea of religious toleration, induced Vane to resist the attempt to suppress them. He soon perceived the impossibility and the absurdity of attempting to found a civil State upon the narrow basis of religious dogma.

To Mrs Hutchinson's aid came another Divine, John Wheelwright,² a brother-in-law of her own, and a person of whose theology she approved. These two, with the help of the Governor Vane, Mr Cotton, and the majority of the church at Boston were able to hold their own for a short time. But in the end their opponents prevailed. These consisted of Winthrop, the founder and first Governor of the colony, and Mr Wilson, supported by the ministers of the district outside Boston, and by a considerable and active minority in that town itself. The trouble occasioned by this strife, together with all the other responsibilities of office, began to press heavily upon Vane. At a meeting of the General Court in December of 1636 he announced that he had received urgent letters from his friends in England asking him to return thither and attend to his private affairs there, and he said that he thought of resigning his office. When urged to remain, "the Governor," we read, "brake forth into tears, and professed that howsoever the causes propounded for his departure were such as did concern

¹ Winthrop, *History of New England*, vol. I, p. 246.

² *Ibid.*, vol. I, p. 201.

the utter ruin of his outward estate, yet he would rather have hazarded all than have gone from them at this time, if something else had not pressed him more; viz. the inevitable danger of God's judgements to come upon us for these differences and dissensions which he saw among us, and the scandalous imputations brought upon himself, as if he should be the cause of all, and therefore he thought it best for him to give place for a time."¹

There is something pathetic in the evidence of wounded feeling which his speech reveals. Professor Firth calls it an undignified scene and asks whether it is to be regarded as "a simple exhibition of weakness, or a comedy played to procure a vote of confidence."² Our suggestion is that it was the outcome of a highly strung and generous nature disappointed at the overthrow of plans and endeavours to secure the welfare of others. Vane was ready to stake his whole fortune and prospects in the cause of religion and liberty, and nothing could well have been more mortifying and disappointing than his experiences in the community in which he fully expected all to be animated by his spirit. His tears, we think, were natural in the circumstances, and no more to his discredit than those drawn from St Paul by his love and zeal were a discredit to him.³ But though he regarded himself as having been injuriously treated Vane was singularly lacking in resentment; and so he ingenuously asked his audience to regard his complaints as having inadvertently escaped him, and to give him leave to retire solely on the ground of needing to attend to his private affairs. Strong pressure was, however, brought to bear upon him by the church of Boston, and he consented to withdraw his resignation.⁴ His weakness, as some may reckon it, and his vacillation boded ill for the peace of the few remaining months of his year of office.

¹ Winthrop, *History of New England*, vol. I, pp. 207, 208.

² *D. N. B.*, "Henry Vane."

³ Acts xx, 31.

⁴ Winthrop, *History of New England*, vol. I, p. 208.

CHAPTER IV

Difficulties with the Indians—Career of Roger Williams—The Pequot War—Conference with the Narragansett Chiefs—Defeat of the Pequot tribe—Internal discord in Massachusetts—Election of Winthrop to the Governorship—Controversy between Vane and Winthrop regarding toleration—Testimonies to Vane's services to New England—He returns home.

A second and not less serious task than that of dealing with internal discord was laid on Vane during his Governorship, in having to ward off the destruction of the colony by an Indian foe. But in order to tell the story of this campaign we shall have to give some little account of an interesting personage by whose courage and self-devotion the war was kept within such narrow limits that the feeble resources of the colonists were able to cope with it. This was Roger Williams, whose name is one of the most famous in the history of civil and religious liberty. He was born in London in 1607, and was a pupil at Charterhouse School, and afterwards a student at Pembroke College, Cambridge. He took orders in the Church of England, but as he was one of the extreme Puritan party Laud's repressive measures drove him from the country. In the end of 1630 he arrived in Massachusetts, where he became minister of the church at Salem. Here he came into collision with the governing powers in consequence of his teaching that the civil magistrate was charged solely with the duty of preserving peace and order and had no authority to interfere with matters of

worship and conscience. Three days after Vane had landed in Boston the sentence of banishment from the province had been passed upon Williams. A few months later he purchased land from the Indians of the Narragansett tribe, in what was afterwards Rhode Island State, and founded the settlement of Providence. This was to be a community where "all men might walk as their conscience persuaded them, every one in the name of his God," and a place which should forever be "a shelter to the poor and persecuted."¹

The English colonists in Massachusetts lived on fairly good terms with the Indian tribes in their immediate neighbourhood, the Narragansetts and the Mohicans, but were menaced by that of the Pequots, a powerful tribe from the North, which had recently thrust itself into Connecticut. These were more ferocious in their habits than the kindred races about them, and struck terror not only into the English colonists but into the other Indian tribes, upon whom they preyed like wolves.² In the summer of 1634 the Pequots murdered the captain and crew of a small English barque trading from New England to Virginia, which had put into the Connecticut River.³ As the Pequots were at the time at war with the Dutch and with the Narragansetts they were unwilling to embroil themselves with the English, and so they sent messengers to Winthrop, Governor of Massachusetts, asking for his friendship. This was declined. In reply to a second embassy Winthrop offered to conclude peace on condition that the murderers were given up, that the English were allowed, if they wished, to form a settlement in Connecticut, and that free trade were established between the two nations. These conditions were accepted, but, as the Pequots refused to carry them out, negotiations were broken off. Two years later other outrages occurred which brought on war. A trader was

¹ Oscar S. Strauss, *Roger Williams*, p. 11.

² Ellis, *Life of Mason*, p. 226.

³ Winthrop, *History of New England*, vol. I, p. 189.

murdered on the coast near Block Island, which was under Narragansett rule, while the Pequots attacked the new settlement on the Connecticut River, killing nine men and carrying off two young women.¹ The chief of the Narragansetts, Miantonimo, offered to make atonement for the murder of the trader, but in the meantime the colonists dispatched a punitive expedition of a hundred and twenty men under John Endicott, who harried Block Island and the adjacent mainland, inflicting death and burning crops and wigwams. Upon this the Pequots proposed to the Narragansetts to join forces and to exterminate the English. The danger in which the latter now stood was grave in the extreme. The Narragansetts were in a somewhat sullen mood at the time, as the punishment inflicted by Endicott had been excessive, and many among them were inclined to break with the English.²

It was at this point that Roger Williams intervened. At the imminent hazard of his life he went to the headquarters of the Narragansetts, while the Pequot emissaries were present among them, and he urged them not to join the league against the English. The words in which he tells how he interposed to save those who had banished him from their territory are worth quoting. "When," he says, "the next year after my banishment the Lord drew the bow of the Pequot war against my country. . . . He helped me immediately to put my life into my hand, and scarce acquainting my wife, to ship myself all alone, in a poor canoe, and to cut through a stormy wind with great seas, every minute in hazard of my life, to the sachem's house. Three days and nights my business forced me to lodge and mix with the bloody Pequot ambassadors, whose hands and arms reeked with the blood of my countrymen, murdered and massacred by them on the Connecticut River, and from whom I could not but nightly look for their bloody knives at my

¹ Neal, *History of New England*, vol. I, p. 158.

² Hosmer, *Life of Vane*, p. 44.

own throat also. God wondrously preserved me, and helped me to break in pieces the Pequots' negotiation and design; and to make and finish by many travels and changes the English league with the Narragansetts and Mohicans against the Pequots."¹

The result of Williams's diplomacy soon appeared. In the October of 1636 Vane summoned the heads of the Narragansett tribe to a conference, and they came to meet him in Boston. A treaty of perpetual peace and alliance was concluded between the two nations, and in the treaty it was expressly stipulated that neither party should make peace with the Pequots without the consent of the other. The treaty was in English, and as it could not be adequately explained to the Indians for lack of a proper interpreter, a copy of it was sent to Williams, who knew the Indian languages well and in whom both parties had the fullest confidence.²

The interview between the English Governor, Vane, and the Indian ambassadors with their barbaric costume, and paint, and feathers, must have been highly interesting. Some faint reflection of the picturesqueness of the scene is discernible in Winthrop's narrative. "Miantonimo," he says, "the sachem of Narragansett, being sent for by the Governor, came to Boston with two of Canonicus's sons,³ and another sachem, and near twenty sannups [squaws]. The Governor sent twenty musketeers to meet him at Roxbury. He came to Boston about noon. The Governor had called together most of the magistrates and ministers to give their countenance to our proceedings, and to advise with them about the terms of peace. It was dinner-time, and the sachems and their council dined by themselves in the same room where the Governor dined, and their sannups were sent to the inn. After dinner Miantonimo declared what he had to say to us." The next day a second meeting

¹ Strauss, *Roger Williams*, p. 98.

² *Ibid.*, *Roger Williams*, p. 99.

³ Canonicus was the uncle of Miantonimo and was another sachem of the Narragansetts.

took place and the treaty of peace was signed. After dinner the Indian envoys took their leave, escorted by the musketeers, who fired a salute on parting from them.¹

The Pequots, though now isolated, were not inclined to submit and continued their outrages, so that it was necessary to put forth a strong effort to suppress them. The story of the final passages in this war is an appalling one, and the only relief one experiences is in the thought that the colonists did not enter upon the task of crushing their foes from any other motive than that of self-defence.

The colony of Connecticut sent out a company of a little over a hundred men, who, with a smaller number of Indian auxiliaries, took shipping and landed at a Narragansett port. They were assured by the Narragansett Indians, through whose territory they were allowed to march, that their numbers were too few for the purpose, but they boldly pushed on to find the enemy. The Pequots had retired into two strong forts about eight miles distant from each other. One of these was surprised at night and stormed and set on fire. The Indian auxiliaries left the main part of the assault and of the fighting to the English, who did their dreadful work with such ferocity that out of four or five hundred Pequots in the fort only some seven or eight persons succeeded in making their escape. The English loss was but trifling.

The victorious army was by no means out of danger, for they were now attacked by the Indian forces from the second fort, under the command of their valiant chief Sassacus. On their journey back to the place where the boats, with their stores, were stationed, they were compelled to keep up a running fight over some six miles. They managed, however, to hold their own for a fortnight, when they were joined by a reinforcement of Massachusetts men to the number of a hundred and twenty. They

¹ *History of New England*, vol. I, p. 198: Hosmer, *Sir Henry Vane*, p. 46.

now resumed the offensive, and succeeded in dispersing their opponents, breaking them up into small parties and overwhelming them wherever they attempted to make a stand. Sassacus, the chief, was put to death by a tribe among whom he had taken refuge.¹ About a hundred and eighty prisoners were taken and were distributed as slaves in Massachusetts and Connecticut. Some of the boys were sent to the Bermudas, while the women and girls were dispersed up and down in various towns.²

A pleasing incident in connexion with the disposal of prisoners relieves the horror of this war of extermination. As we have already said, in one of the Pequot raids out of which the war arose two English girls were carried off by the Indians. At the request of the wife of Mononetto, an Indian chief, their lives were preserved, and the girls were taken under her protection. She and her children now became prisoners, and her good deed was remembered to her credit. She was, we are told, "a woman of a very modest countenance and behaviour," and one of her first requests to the English was that she might not suffer any indignity and that her children might not be taken from her. "The Governor Vane," it is pleasing to learn, "took charge of her and made her captivity as easy as he could." This expedition against the Pequots struck terror into several surrounding tribes, who hastened to place themselves under English protection. Altogether seven hundred Pequots had been killed or taken prisoners. The rest of the tribe either fled or were divided among the Narragansetts and Mohicans. Their country came under English rule and a Governor over it was appointed.³

In the meantime while the army was thus employed the internal discord in Massachusetts was still fierce and almost led to civil war. Nothing but humiliation was in store for Vane from the moment he was embroiled in the

¹ Neal, *History of New England*, vol. I, p. 165.

² *Ibid.*, vol. I, pp. 164, 165: Strauss, *Roger Williams*, p. 101.

³ *Ibid.*, vol. I, p. 165.

controversy to which we have alluded. If at times he became rather irritated and querulous most people acquainted with the circumstances in which he was placed would condone the fault. The provocations to which he was exposed were enough to exasperate even one whose saintliness was of longer standing than his. There is an account extant of a meeting held about this time at which he was subjected to some mortifying criticism at the hand of Hugh Peters, who played the part of the candid friend—a rôle hardly to be distinguished from that of the avowed enemy.

An inquisitorial meeting had been held by the anti-Hutchinsonian faction, at which they had subjected Mr Cotton to a searching theological examination. When this meeting was referred to in the Court next day the Governor hotly complained of its having been held unknown to him. Peters at once told him, "with all reverence but plainly," that the minds of the ministers were saddened by his suspiciousness and his desire to restrict their liberty. Upon this Vane humbly apologized. Peters then went on to say that before Vane came the churches were at peace, and he dwelt upon the disastrous change which two short years had witnessed. Hereupon the Governor alluded to the fact that the Gospel itself brought at times a sword rather than peace, and also quoted the text about the children of the bond-woman persecuting the children of the free-woman. The only reply Mr Peters could make to this was to refer to Vane's youthfulness. "Mr Peters," we are told, "besought him humbly to consider his youth and short experience in the things of God and to beware of peremptory conclusions, which he perceived him to be very apt unto."¹ As no crushing repartee to the charge of being young is known, it is to be presumed that Vane made no reply. On a certain well-known occasion seventeen years later Cromwell was moved to exclaim, "The Lord deliver

¹ Winthrop, *History of New England*, vol. I, p. 209.

me from Sir Henry Vane!" The latter might surely be pardoned if a similar petition with regard to the Rev. Hugh Peters had now occurred to his mind.

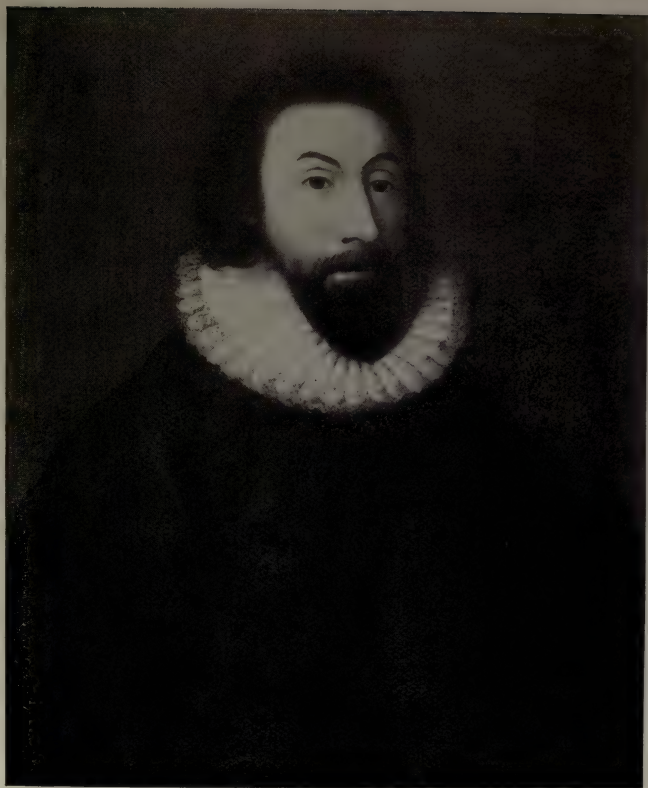
The election of Governor and of other officials in Massachusetts in 1637 was conducted on lines happily unique in the history of civilization. The two contending parties were distinguished from each other by supposed differences in spiritual status. The one claimed to be under a covenant of grace, the others were declared (by their opponents) to be under a covenant of works. But though the rallying-cries and badges of distinction were in a sense holy, the election itself was conducted in the unsanctified manner common on such occasions. The usual dodges to outwit and defeat opponents were employed and the turbulence manifested by both parties seemed more than once likely to end in bloodshed. Vane's party was strongest in Boston, but by a decision of the General Court the election was held in Newtown, some eight miles away.¹ Vane had refused to put the motion, suggesting the change to the meeting, but it was carried in spite of him.²

On the day of election, 17 May, a petition came up from Boston with regard to procedure. Those who supported it wished it to take precedence of all other business in the hope of blocking proceedings. Had they succeeded in this scheme Vane would have been Governor for another year. Mr Wilson, the minister, made himself conspicuous in resisting the proposal. We are told that "in his zeal he got upon the bough of a tree and there made a speech advising the people to see that their charter was not violated in this way." The result of the election was that Vane and his party were defeated, and that Winthrop was chosen Governor.³ In the language

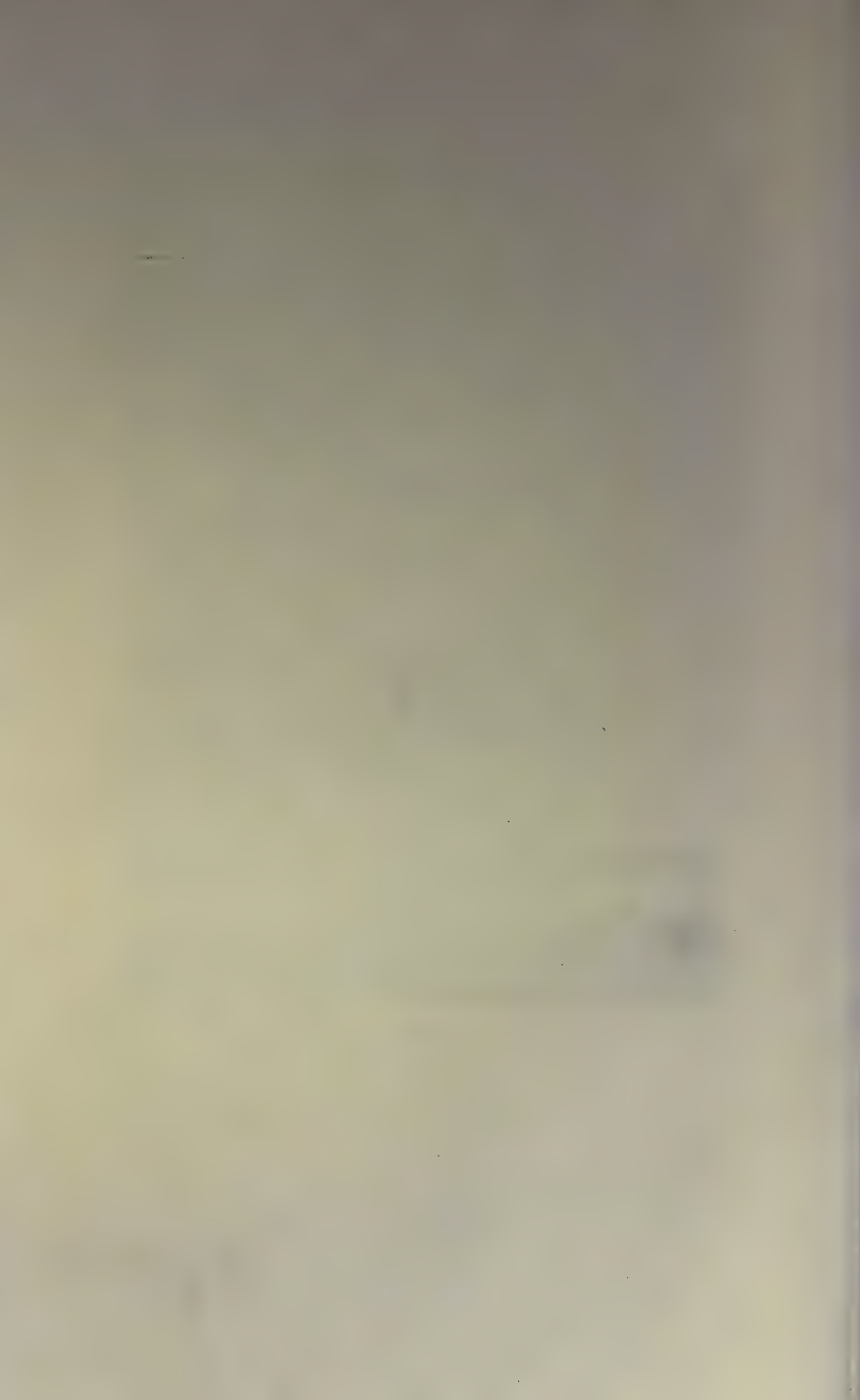
¹ It is indeed only three miles from the State House, Boston, to Harvard Square, Cambridge, which corresponds to the Newtown of those days. But it is only by means of bridges that the shorter journey can be made. An old milestone still stands at Harvard Square which reads: "Boston 8 miles."

² Hosmer, *Life of Vane*, p. 85.

³ Hutchinson, *History of Massachusetts Bay*, vol. I, p. 61.



GOVERNOR WINTHROP



of the time those who professed to be under the covenant of grace were defeated and those who had been represented as being in bondage to the covenant of works were successful. If any find this statement of matters unintelligible, they have, in our opinion, no reason on that account to despair of their own intellectual ability or moral character. A slight indication of the intensity of feeling which marked this election is given by the fact that the four halbert-men who had been in attendance on Vane in formal processions to Court or to Church, or on journeys through the province, declined to serve Winthrop in the same capacity. The new Governor solved the difficulty by employing two of his own servants as halbert-men and by being content with diminished state.¹

Though Vane was defeated and lost the governorship of Massachusetts, the people of Boston elected him as one of their four deputies to represent them in the General Court. The victorious party sought to exclude Vane from even this subordinate position and quashed the election on the ground of some technical irregularity in procedure. The next day a new election of deputies was held in Boston and the same persons were returned. "Upon which," Winthrop remarks naively, "the Court not finding how they might reject them, they were admitted."²

Much more interesting than the details of Vane's tenure of office and of his exclusion from it is the controversy with Winthrop which followed upon the events last narrated. The interest lies in the fact that these experiences in America taught Vane certain great ideas with regard to toleration, the reception and promulgation of which by him constitute his main claim for grateful remembrance on our part. The victorious party in Massachusetts anticipated with dread the possibility of being swamped by the arrival of colonists whose doc-

¹ Winthrop, *History of New England*, vol. I, p. 224.

² *Ibid.*, vol. I, p. 220.

trinal opinions were akin to those over which they had triumphed. And so the General Court issued an order prohibiting the settling in the colony of persons whom the magistrates might regard as "dangerous to the Commonwealth." Objection was at once taken to this order by persons whose opinions carried weight, and Winthrop felt bound to issue a statement in defence of it. He could not defend it without giving a theory of the Commonwealth with which it should be found to be in accordance. The Commonwealth he defined as "the consent of a certain company of people to cohabit together under one government for their mutual safety and welfare."¹ Vane at once in an Answer to this Declaration² took exception to the definition of a Commonwealth and asserted that it was as applicable to a company of Turkish pirates or an Indian tribe as to the community in New England. Whereas the Commonwealth or body politic with which they had to do in the present instance was a Christian State founded upon a charter granted by Charles I. These two circumstances had to be kept in view. As Christians they had no unlimited power of consent but were bound to proceed in accordance with the Word of God; while as subjects of King Charles and holding a charter from him they had no right to refuse in this way persons whom he might choose or permit to settle among them. The question was not whether knowledge should be taken or not of persons admitted, or whether some on the ground of being hurtful should or should not be rejected, but whether the magistrates should have the absolute power committed to them of proceeding in this matter according to their own will and without reference either to Christian principles or to legal requirements.

That the exclusion from a State of certain persons thought to be hurtful was not always a wise or even a lawful action Vane ingeniously shows by Scriptural

¹ Hutchinson, *Original Papers Relative to History of Massachusetts Bay*, p. 67.

² *Ibid.*, pp. 71-83.

examples. "Elijah," he says, "appeared to Ahab, and no doubt to his Council of State, a troubler of the Commonwealth, one that brought three years' famine, enough to ruin the whole state; yet the Jewish magistrates ought not to have rejected him and all those of his frame and judgement because thus it appeared; for, in truth, Elijah was the horseman of Israel and the chariots thereof. It appeared also to the chief priests and Pharisees that if our blessed Saviour were let alone it would tend to their ruin (John, xi, 47, 48), and therefore [they] used means to keep it off by rejecting Christ and His Gospel, and yet we hope you will not say they were bound to do so." The Indians might on similar grounds, Vane points out, have hindered the English colonists from settling in America. "Lastly," he says, "it appears to the natives here (who by your definition are complete Commonwealths in themselves) that the cohabitation of the English with them tends to their utter ruin; yet we believe you will not say they may lawfully keep us out upon that ground, for our cohabitation with them may tend to their conversion, and so to their eternal salvation, and then they should do most desperately and sinfully. Let us then do unto our brethren at least as we would desire to be done unto by barbarians."

Winthrop had uttered the extraordinary statement that "profane persons may be less dangerous than such as are religious, of large parts, confirmed in some erroneous way," and it is in dealing with this that Vane speaks most distinctly and forcibly on the question of toleration. "In this," he says in reply, "you need not much confutation; such [as are religious] shall be blessings wheresoever they come. . . . Such as are confirmed in any way of error are not to be denied cohabitation but are to be pitied and reformed (Jude, vv. 22, 23)." He pronounces the law which gives unlimited powers of expulsion to magistrates to be "most wicked and sinful." "Because," as he says, "here is liberty given by this law to expel and

reject those which are most eminent Christians, if they suit not with the disposition of the magistrates; whereby it will come to pass, that Christ and His members will find worse entertainment among us than the Israelites and Isaac did among the Philistines, than Jacob among the Shechemites, yea, even than Lot among the Sodomites. These all gave leave to God's people to sit down amongst them though they could not claim such rights as the King's subjects may."¹

A certain quaintness attaches to the Scriptural precedents which Vane quotes, but this does not detract from the force of his argument. It is interesting to see the doctrine of toleration dawning upon his mind as a result of his untoward experiences in the new colony. Such fruit as this was worth the cost at which it was procured; and both Vane and ourselves would have been the losers if he had merely gained the victory in the contest with Winthrop for the office of Governor of Massachusetts. Yet while it was gratifying that he should thus have learned lessons of great value with regard to the question of civil and religious liberty, we cannot be surprised that his views did not find immediate acceptance with those to whom he addressed himself. The mere fact that he had approved of the new religious teaching out of which the controversy had sprung compromised his position. Had he disapproved of it and yet claimed liberty for those who accepted it to hold and propagate what seemed to them to be sacred truth, his pleading would have fallen on more sympathetic ears. But the demand for toleration on the lips of a partizan must have seemed to many a shameless attempt to obtain permission to disseminate religious error.

It was impossible that a man of Vane's temperament should not feel keenly the humiliation he had received in being dismissed from office,² especially as it was likely

¹ Hutchinson, *Original Papers Relative to History of Massachusetts Bay*, p. 83.

² Winthrop speaks of Vane's manifesting irritation and resentment on his defeat, but he gives no instance of it beyond the most trivial gossip (*History of New England*, vol. I, p. 232).

that his defeat might involve serious consequences for some of the friends and partizans with whom he had been recently associated. The opinions of contemporaries with regard to his career in America have some interest, though, in the case of those formed by opponents, we may plead for some deduction on that account. One contemporary goes so far as to say of it, "it was of God's mercy that it ended not in our destruction."¹ The reference is no doubt to the fact that the divided condition of the colony, for which the writer probably considered him to be mainly to blame, might have led to its charter being taken away or injuriously altered. Cotton Mather says: "Mr Vane's election will remain a blemish to their judgements who did elect him while New England remains a nation."² While Richard Baxter describes the circumstances of his leaving America with an inaccuracy which our readers will of themselves at once recognize. "He was," he says, "fain to steal away by night and take shipping for England before his year of government was at an end."³ The slight flavour of acrimony in the statement is due to the fact that Vane and he were opponents of each other in theological controversy. On the other hand, Vane's biographer, Sikes, says: "He had not been long in New England, but he ripened into more knowledge and experience of Christ, than the churches there could bear the testimony of. Even New England could not bear all his words, though there were [there] no King's Court or King's Chapel" (Amos, vii, vv. 10, 13).⁴

For our own part we think that Vane as a young man—he was only twenty-three years of age—and inexperienced in public affairs, undertook too great burden in accepting

¹ Quoted in Hosmer's *Life of Vane*, p. 78.

² *Magnalia*, p. 18.

³ *Reliquiæ Baxterianæ*, part 1, p. 75.

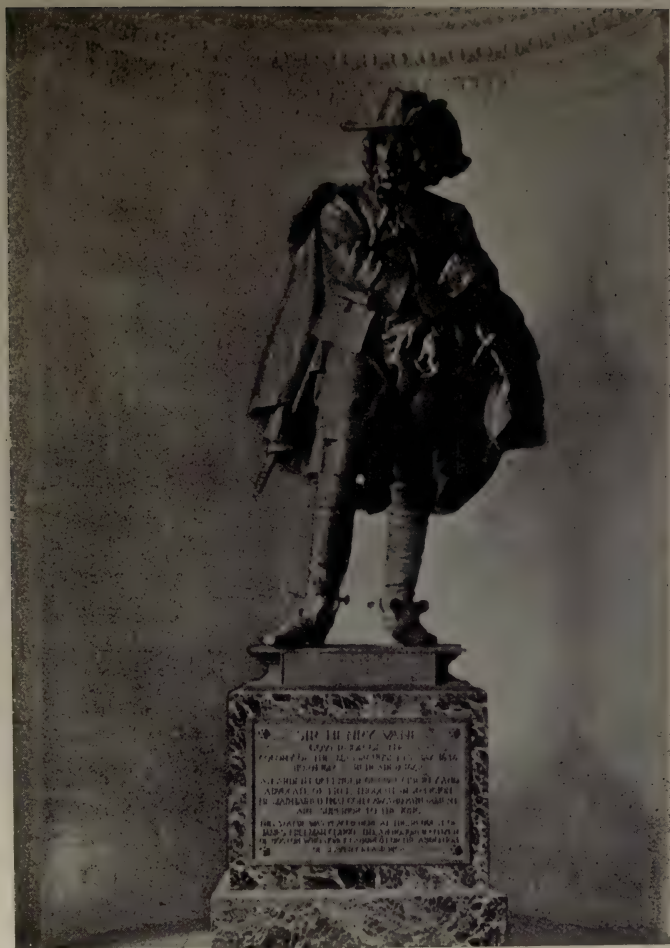
⁴ *Life*, p. 8. Amos, a prophet of Judah, visited the northern kingdom of Israel. Amaziah, a chief priest there, said "the land was not able to bear all his words," and ordered him not to prophesy again at Bethel, "for," said he, "it is the king's chapel, and it is the king's court" (vii, 10, 13).

the Governorship. But we are convinced that in his conduct of it he did nothing mean or dishonourable, and that a large part of his troubles arose from that generous scorn of expediency which is so often an attractive characteristic of a young and ingenuous mind. An emotional, impulsive temperament, lacking in worldly wisdom, a mind open to new ideas and having the courage of convictions widely different from those current in society, may be a very attractive moral equipment for a man, but it is bound to produce or promote serious disorder if he is placed in a position of difficulty or responsibility.¹

It is but a comparatively slight thing to say that no moral stain attaches to Vane's conduct during his brief term of office or his stay in America. Much more important are the testimonies borne to him by the two of his contemporaries there, whose opinions carry most weight. His rival, Winthrop, speaks of the services which Vane afterwards rendered to the colony, and of his freedom from the feelings of wounded vanity and of just resentment, which a mind less noble than his might have cherished. In speaking of difficulties in which some New England men were involved some eight years later in the Admiralty Courts in London, he says: "It pleased God to stir them up such friends, viz., Sir Henry Vane, who had sometime lived at Boston, and though he might have taken occasion against us for some dishonour which he apprehended to have been unjustly put upon him here, yet both now and at other times he showed himself a true friend to New England and a man of noble and generous mind."² In like terms Roger Williams refers

¹ We have pleasure in giving here a representation of the statue to Vane now standing in the Public Library, Boston. The inscription below the statue is as follows: "Sir Henry Vane, Governor of the colony of the Massachusetts Bay, 1636: born 1612, beheaded 1662. An ardent defender of civil liberty and advocate of free thought in religion, he maintained that God, Law and Parliament are superior to the King. This statue was placed here at the request of James Freeman Clarke, D.D., an honoured citizen of Boston who nobly laboured for the abolition of slavery in America." It will be noticed that the date of birth is given as 1612 instead of 1613.

² Winthrop, *History of New England*, vol. II, p. 248. That these kindly feelings were fully reciprocated by Vane is shown by an affectionate letter from him to Winthrop a



STATUE OF SIR HENRY VANE IN THE PUBLIC LIBRARY, BOSTON.

to the aid which Vane had given in procuring the territory afterwards known as Rhode Island State. "It was not price or money," he says, "that could have purchased Rhode Island, but it was obtained by love—that love and favour, which that honoured gentleman, Sir H. Vane, and myself, had with the great Sachem, Miantonimo, about the league which I procured between the Massachusetts English and the Narragansetts in the Pequot War. This I mention, as the truly noble Sir Henry Vane had been so good an instrument in the hand of God for procuring and confirming the charter, that it may be recorded with all thankfulness."¹

Winthrop, who had now succeeded Vane as Governor of Massachusetts, gives us some details of his rival's embarkation for England. "On Aug. 3rd, 1637," he says, "the Lord Ley and Mr Vane went from Boston to the ship riding at Long Island to go for England. At their departure, those of Mr Vane's party were gathered together, and did accompany him to the boat (and many to the ship;) and the men being in their arms, gave him divers vollies of shot and five pieces of ordnance, and he had five more at the Castle. But the Governor was not come from the Court, but had left order with the captain for their honourable dismissal."² We have spoken of the interesting fellow-passengers whom Vane had on his journey out to New England. One of the same kind he had on his voyage home in the Lord Ley of whom Winthrop makes mention. This young man was the eldest son of the Earl of Marlborough, and he had gone out to visit the colony. In after years he acquired the sort of reputation attaching to the Earl of Rochester of Charles II's time, and at a later period to Colonel Gardiner—that of a man notorious for irreligion, who had

year later (10 June 1645). In it he refers to the troubles at home occasioned by the Civil War: and exhorts the Congregationalists in New England to mutual toleration and not to teach those who impugned their system "to extirpate and root it out from its own principles and practice" (quoted in Hosmer, *Life of Vane*, p. 79).

¹ Strauss, *Roger Williams*, p. 92.

² Winthrop, *History of New England*, vol. I, p. 235.

been brought to a different sense of things upon real conviction. He was afterwards killed in the sea-fight under the Duke of York against the Dutch at Southold Bay (3 June 1665).¹

Birch, *Life of Tillotson*, p. 75n.

CHAPTER V

Proceedings in Massachusetts after Vane's departure—Condition of matters in England—Laud's oppressive ecclesiastical policy—Outbreak of rebellion in Scotland—Vane appointed joint-treasurer of the Navy—Meeting of the Short Parliament—The King's difficulty in obtaining war subsidies—Dissolution of Parliament—Vane's marriage—His disinterestedness in public life.

Interest naturally attached to Vane's movements in consequence both of his father's prominence in public life and the attention which his own proceedings had attracted. Accordingly it is not surprising to find that Mr Garrard, Strafford's clerical correspondent, chronicles the fact of his return to England. In a letter to the Lord Deputy he says: "Henry Vane, the comptroller's eldest son, who had been governor in New England this last year, is come home; whether he hath left his former misgrounded opinions, for which he left us, I know not."¹

The civil discord in Massachusetts continued after Vane's departure and the perplexed authorities called a Synod to advise what should be done to restore order. The Synod investigated the new-fangled theological opinions which had been current and from which the disorder had sprung, and unanimously condemned them. It was hoped that this decisive step would be sufficient to secure the end desired. "But," as the historian remarks, "the heads of the faction were not to be vanquished with Scripture and reason; for Mr Wheelwright con-

¹ Strafford, *Letters*, vol. II, p. 116.

tinued still his preaching, and Mrs Hutchinson her assembly; and their followers were so influenced by their doctrines, that when Mr Wilson went up into the pulpit, half the congregation would go out." "The Court, therefore," says the same authority, "at their next Sessions, which was on the second of October, resolved to have recourse to the last remedy, which was the sword of the magistrate."¹ Wheelwright was banished from the colony, but at the end of seven years he returned and renounced his errors and was restored to office. Mrs Hutchinson, who defended her cause with great resolution and with stormy eloquence, was also banished. She removed to Rhode Island, where she lived a peaceful and inoffensive life. On the death of her husband she took up her abode in Long Island—at that time a Dutch settlement. Here in 1643 she and all her household, to the number of sixteen persons, were murdered by the Indians, with the exception of a daughter who was carried off into captivity. It is to be feared that, in spite of warnings in Scripture against judgements of the kind, her tragic fate was taken by many as the punishment called down by erroneous teaching and by contumacy.²

The subsequent career of Hugh Peters deserves a passing notice. He was chosen minister of the church at Salem, and he acquired so much influence over the whole New England community that he was chosen as one of a committee to draw up a code of laws for them. After some seven years he was sent to England to arrange certain matters in connexion with excise and customs. All things, however, being in confusion there because of the civil war he was unable to execute his commission. He had fully intended to return to New England, but he

¹ Winthrop, *History of New England*, vol. II, p. 136: Neal, *History of New England*, vol. I, p. 173.

² *Ibid.*, vol. I, p. 178. As Satan was regarded by many as having had much to do with this Antinomian movement, it is not surprising to read of unsavoury occurrences (as e.g., monstrous births) in the lives of some of those connected with it (see Mather, *Magnalia*, vol. VII, pp. 3, 11: *Reliquiæ Baxterianæ*, vol. I, p. 75: Stubbe, *Malice Rebuked*, p. 47). It is natural that a later generation should be surprised and shocked by such superstition.

was drawn into the current of events at home, with the result that he entered on the notorious career which had such a tragical and bloody close.¹

Some brief account of the condition of matters in England at this period is necessary before we begin to speak of Vane's share in public affairs. He returned home at a time when the period of Charles I's absolute government had still two years to run. Since 1629 he had dispensed with Parliaments, and had, with the aid of Laud and Strafford, succeeded in maintaining the despotic rule which he had set up. But the general unrest was increasing, and there were not wanting signs of an upheaval as being near at hand. Clarendon, indeed, says of this period in our history that during it "this Kingdom [i.e. England] and all his Majesty's dominions enjoyed the greatest calm, and the fullest measure of felicity, that any people in any age, for so long a time together, have been blessed with; to the wonder and envy of all the parts of Christendom." He goes, indeed, so far as to say that "Many wise men thought it a time wherein those two unsociable adjuncts which Nerva was deified for uniting, *imperium et libertas*,² were as well reconciled as is possible."³

In his next paragraph he tells us that "the Court was full of excess, idleness, and luxury, and the country full of pride, mutiny, and discontent."⁴ Apart from whatever political bias these varying statements may betray, there is no doubt that the country at this time did enjoy abundant material prosperity. The years of peace, the opening up of new channels of trade, and the fair administration of the ordinary laws, all tended to promote it; while the despotic rule to which the country was

¹ Backus, *New England Baptists*, vol. I, pp. 76, 79; Brook, *Lives of the Puritans*, vol. III, p. 350.

² "Nerva res olim dissociabiles miscuit, principatum et libertatem," Tacitus, *Agricola*, chap. III. Lord Beaconsfield's famous allusion to this passage was a reminiscence of Clarendon rather than of Tacitus.

³ *Rebellion*, I, 159, 163.

⁴ *Ibid.*, I, 64.

subjected was not of such a nature as utterly to crush its spirit and paralyse its energies.¹ In the various devices employed to raise money for purposes of government, in lieu of grants authorized by Parliament, care was taken as far as possible, to secure the sanction of legal forms and precedents. Even in the case of Ship-money the decision of judges was more than once procured to assure the nation that it might be lawfully exacted. The whole weakness of Charles's position lay in his assumption that a high-spirited nation would consent to place the lives and property of its citizens at the disposal of one man, and after having for ages insisted upon having a voice in the management of its own public affairs, would now submit to "paternal government." For, though the motives which guide those who maintain such a rule may be benevolent, it has ever a ludicrous aspect when the subjects of it are past the age of childhood. And so in the present instance, the whole system of government was regarded with a contempt which was almost as fatal to it as was the hatred excited by occasional acts of cruelty and injustice on the part of the ruling authorities.

In the beginning of July, 1637, a month before Vane started for home, there seemed to be no reason to expect any immediate change in the condition of matters. The shock of foreign war would speedily have brought the Government to the ground; for, though it seemed possible to raise for an indefinite time revenue for ordinary expenses, no extraordinary supply, such as war would have called for, could have been provided except by Parliament. The country, however, was at peace, and, as we have said, enjoyed material prosperity. No doubt in many hearts love of liberty and fierce hatred of the absolutism which crushed it burned freely, but opportunities for carrying these feelings into action were lacking, and the strict censorship of the press hindered even the satisfaction of giving outward expression to them.

¹ Hallam, *History of England*, vol. II, p. 81.

The irritating ecclesiastical policy of Laud in suppressing Puritan teaching and in promoting what was generally regarded as a Romeward movement in the Church, provoked in the end a resistance before which even he was helpless. Prynne, on whom an atrocious sentence had been passed for his attack on stage-plays and supposed offensive reference to the Queen, again drew upon himself a cruel punishment. On the former occasion he had had less public sympathy than might have been expected; but now he had no lack of sympathizers, for he assailed the Bishops, who were thoroughly unpopular. With him were associated Henry Burton, a minister of religion, and John Bastwick, a medical man, who for a like offence were condemned to loss of ears, heavy fines, and imprisonment for life.¹ The respect shown to these prisoners as they passed on their way to the castles of Carnarvon, Launceston and Lancaster, in which they were to be immured, rendered their journey a triumphal progress, and the Government found that it was only possible to isolate them from their friends and admirers by sending them out of the country altogether to fortresses in the Scilly Isles and in Guernsey and Jersey.²

It was a year later than this that the proceedings to which we have referred were taken against Lambert Osbaldeston, Vane's teacher, the Head Master of Westminster School. He was a friend of the famous politician, Bishop Williams, afterwards Archbishop of York, and wrote to him on the events of the day. Among other things he spoke in a letter of a person unnamed as "the little urchin" [i.e., hedge-hog] and "the little meddling hocus-pocus."³ There was no doubt that Laud was thus

¹ Rushworth, *Collections*, part 2, vol. I, p. 380: *State Trials*, vol. III, pp. 711, 748-753: Whitelock, *Memorials*, p. 26.

² The reason for sending them to these islands was to secure their indefinite imprisonment by removing them out of the reach of a Habeas Corpus (Burton, *Diary*, vol. IV, p. 162).

³ The epithet "hocus-pocus" contains doubtless a reference to Laud's views on transubstantiation (*hoc est corpus meum*).

irreverently referred to. The letters, though private, got into the hands of the authorities, and both Williams and Osbaldeston were brought to the bar of the Star Chamber. The latter was dismissed from the ecclesiastical offices which he held along with his Mastership, was fined £10,000 Sterling, which was to be equally divided between Charles and Laud, and was in addition sentenced to be nailed by his ears to the pillory in the presence of his scholars. The boys, however, were fortunately spared the painful sight of seeing their respected preceptor thus treated. For Osbaldeston managed to escape from the Court before the close of the case. He hastened to his study in the school and burned some papers. He then absconded after leaving a note saying, "If the Archbishop enquire after me, tell him I am gone beyond Canterbury."¹ Messengers were sent to various seaports to prevent his escaping abroad; but he found refuge in a private house in Drury Lane until the meeting of Parliament in November, 1640, freed him from risk of arrest. His ecclesiastical preferments were restored to him by the Long Parliament; but, as we have already said, the revolutionary movement went further than he approved. He again fell under the displeasure of the ruling authorities and suffered sequestration. He died in retirement just before the Restoration.²

How long this condition of matters would have continued if there had been no interference with it from without is uncertain. For the opinions which provoked such ruthless punishment were those of a minority, though it might be a numerous minority, and while the forms of law were adhered to in repressing them even those who were irritated and disgusted by the procedure of the

¹ We need scarcely tell our readers that the irrepressible Osbaldeston here plays upon the word "Canterbury"—the city and the Archbishop. With regard to the fine above-mentioned, we may say that such heavy fines imposed by the Star Chamber and other Courts were not usually paid in full. The amount of damages was meant to mark the gravity of the offence and, we presume, to give excuse for indefinite imprisonment. If Laud received any such fines or any part of them they were probably paid by him to some public fund and were not enjoyed as a perquisite of his own.

² D. N. B., "Lambert Osbaldeston."

Government were not inclined to enter on a bloody revolution to overthrow it. They were equally disinclined to defend that Government, if it should be assailed from without. It was from this source that deliverance came to the oppressed. For in the very month in which Prynne, Burton, and Bastwick were sentenced, the government of Charles I received what proved to be its fatal stroke. The thunderbolt came from an unexpected quarter. Rebellion had broken out in Scotland.¹ "The truth is," says Clarendon, "there was so little curiosity either in the Court or the country to know anything of Scotland or what was done there, that when the whole nation was solicitous to know what passed weekly in Germany or Poland and all other parts of Europe, no man ever enquired what was doing in Scotland, nor had that kingdom a place or mention in one page of any gazette, so little the world heard or thought of that people."²

The Episcopal form of Church government, which had been thrust upon Scotland, was distasteful to the mass of the people; but the dissatisfaction arising from this cause would never have provoked rebellion, had not a strong political grievance been combined with it. The Bishops were an incubus on the national life. They occupied offices of State, they were prominent in the Privy Council, and they had such a firm grip of Parliamentary power that they were able to secure legislation of the exact type which the Sovereign desired. The nobles and gentry of the country keenly resented this condition of matters, and there only needed to be some affront put upon religion and some open illustration afforded of the loss of national independence, to unite all classes of the community in an attempt to sweep the hated system out of the land.³ These final ingredients for the charm that would call up revolution were supplied by the folly and arrogance of the government of Charles I. The Book

¹ Whitelock, *Memorials*, p. 27.

² *Rebellion*, II, 18.

³ Gardiner, *Fall of the Monarchy of Charles I*, vol. I, p. 97.

of Canons for regulating the constitution of the Church, and the Prayer-book for regulating its worship, both issued on the sole authority of the King, were regarded in Scotland as tainted by Romanism; and both religious instincts and patriotism were revolted by the changes proposed and by the manner in which they were introduced.¹

The outbreak in the Church of St Giles, Edinburgh, on the day when the new liturgy was adopted, was followed by rioting in that city. This the Government was unable to quell. The insurgents seized upon power, and by the National Covenant carried the nation with them in a demand for the abolition of the grievances which had provoked rebellion. In a General Assembly which Charles was forced to call, but which refused to dissolve at the command of his representative, Episcopacy was abolished. A well-equipped army was raised to support the revolutionary movement, and, as public feeling in England was to a large extent in sympathy with the rebels, the Government was obliged to come to terms with them. The Treaty of Berwick extorted from the King by the display of armed force was, however, no permanent settlement of the dispute, and in the end Charles was constrained to call a meeting of Parliament in order to regain Scotland, which had virtually passed out of his rule.

In January, 1639, Vane was appointed through his father's interest joint-treasurer of the navy, his colleague being Sir William Russell, and this office he held for nearly twelve years. When he and his father fell into disfavour on account of the part they had taken in the trial of Strafford he was dismissed from office; but on the outbreak of the Civil War he was reappointed and made sole treasurer by an ordinance of the Houses of Parliament. All through the period when he had charge of naval affairs he proved himself a most able and efficient ad-

¹ Burton, *Hist. of Scotland*, vol. VI, p. 397.

ministrator; and it was largely in consequence of his unremitting devotion to the duties of his office that the Government of the Commonwealth was afterwards able to attain the brilliant success at sea which distinguished it. Some of Vane's biographers, however, have exaggerated both his services and the disinterestedness with which he rendered them—errors which the exacter knowledge now available enables us to correct. A few words upon the matter at this point will save us from the trouble of referring to it again. Hosmer speaks of Vane having "created a fleet out of nothing and given to it guns and men."¹ As a matter of fact the fleet was in a fairly good condition at the time when he entered upon office. At the beginning of Charles's reign it had been in a disgraceful state, and, as a consequence of this, trade had decayed and the seas about our coasts had been infested by pirates.² But this condition of matters had been remedied. The ship-money, which had been raised illegally, was not wasted or misapplied;³ and so the Parliament, in beginning its struggle with Charles, on receiving the support of the navy, found itself much better equipped for conflict on sea than on land.⁴ So much was this the case that it was not found necessary to build any new ships until 1646, when victory over the King, though still incomplete, was well assured.

The mode in which the treasurer of the navy was paid was that of his receiving threepence in the £1 Sterling on all money expended. This in ordinary peacetime would be about £1,600 a year. And so Vane's income on first entering office would be about £800 a year, and afterwards, when he was sole treasurer, it would be double that amount.⁵ Of course during war-time or a time of special expenditure in view of possible war the income in question would be vastly increased.

¹ *Life of Vane*, p. 497.

² Rushworth, *Historical Collections*, part 2, vol. I, pp. 257, 322, etc.

³ *Transactions of Royal Hist. Soc.*, 3rd series, vol. IV, p. 143.

⁴ Oppenheim, *History of the Administration of the Royal Navy*, p. 295n.

⁵ *S. P. Dom.*, 1638-9, pp. 125, 307, 343, 485; Dalton, *Wrays of Glenworth*, vol. II, p. 103.

He held this office as sole treasurer for eight and a half years, i.e., from 8 August 1642, to 31 December 1650. The accounts are not now extant for the whole of this period, but it seems from those that remain that he received over £19,000 during five and a half years of his term of office.¹ When the Self-Denying Ordinance was first proposed he strongly supported it and offered, if Parliament desired it, to resign his office, and he suggested that the profits of it should be applied towards the expenses of the war.² His suggestion was not adopted, but the sincerity with which it had been made was shown by the fact that he devoted to the purpose specified half of the profits from the time when he had been appointed sole treasurer—a sum of £2,500.³ On his resignation a subordinate was appointed to the office at a fixed salary of £1,000 a year. As the treasurership on Vane's receiving it had been a life-appointment an estate yielding him £1,200 a year was given him by Parliament, on his retirement, as compensation.⁴

In the Fourth Parliament of Charles I, which met on 13 April, 1640, the younger Vane sat as member for Hull, his connexion with the Navy commending him to that constituency.⁵ This Parliament has been known in history as "The Short Parliament," from the fact that it sat for but three weeks. Yet if we consider the splendid quality of the representatives chosen for it, the high tone which marked their proceedings, and the importance

¹ Oppenheim, *l. c.*

² Clarendon, *Rebellion*, VIII, 194. The speech of Vane's which Clarendon reports is not authentic, but there is no doubt that in seconding the Self-Denying Ordinance he dealt with his own office of profit.

³ Sikes, *Life*, p. 97: Ludlow, *Memoirs*, vol. II, p. 339. Oppenheim casts some doubt upon the matter on the ground that the audit office papers do not contain a record of any such payment. One would not be inclined to accept the statement on the sole testimony of Sikes, who is a very loose writer; but Ludlow, who was in a position to know, speaks quite definitely upon the matter. Vane may have returned the money in some other way than directly paying it into the Treasury.

⁴ It is probable that he asked for compensation, though Sikes says (*l. c.*) that he did not. A petition of his, of 27 June, 1650, was referred to a Committee and they were charged to settle the question of compensation (Oppenheim, *l. c.*). This latter writer is somewhat prejudiced in his references to Vane.

⁵ *S. P. Dom.*, 1639-40, p. 568.

of the crisis at which they met, we shall account it as scarcely inferior in interest to any in our annals. "It could never be hoped," says Clarendon, "that more sober and dispassioned men would ever meet together in that place."¹

The Lord Keeper, Lord Finch of Fordwich, who had been Speaker in the last Parliament and had had the unusual experience of being held down in the chair when he had attempted against the will of the members to adjourn the House, opened the proceedings.² He was a subtle and unscrupulous courtier, brutal in the exercise of power and cowardly in the presence of danger, and before the close of this very year he fled for his life into Holland from the risk of impeachment. He had an abundant supply of florid rhetoric at his command, much of which must have fallen at this time on unsympathetic ears. "Men of Belial," he said, "some Zebas have blown the trumpet in Scotland, and drawn a multitude after them into a course of treason and rebellion against the Lord's Anointed."³ He told how there was evidence that the rebels had opened negotiations with foreign States, so that England itself was now in danger of attack from more quarters than one. In defence of his subjects as well as for the maintenance of his own authority the King had raised an army, and he needed money to defray the expense of it. To avoid disputes about Tonnage and Poundage he announced that he made no claim to them apart from the grant of Parliament and that a Bill would be introduced entitling him to them from the date of his accession. When this and the subsidies for military purposes had been passed grievances might be considered, and, if necessary, an autumn session might be held to overtake arrears of business. He concluded with the significant

¹ *Rebellion*, II, 77.

² Sanford, *Studies and Illustrations of the Great Rebellion*, p. 157.

³ The reader will notice that the lavish use of Scriptural phrases in those days was not confined, as popular novelists would have us believe, to Puritans and Covenanters.

hint "that the happy conclusion of this Parliament might be the cause of many more."¹

The Lord Keeper then, at the King's order, read an intercepted letter from the Covenanting leaders in Scotland to the King of France. It bore the address *Au Roi*, and on this fact he attempted to base a charge of treason, on the ground that such a phrase implied that those from whom the letter came acknowledged the King of France as their Sovereign.² As the contents of the letter were not treasonable, and there was no evidence who had written the words in question, the accusation fell to the ground. When the matter was brought up again three days later the House turned from it contemptuously and took up the grievances of which the nation complained and which were brought before it in petitions from various quarters.³ So self-restrained and moderate was the tone of feeling in this Parliament that another attempt at a peaceful solution of difficulties was made. This was a proposal of Pym in one of those impressive speeches of his which mark him as a great tactician and a born leader of men. The speech was utterly unadorned by rhetoric and had not even a trace in it of indignant passion, but it marshalled with terrible clearness and exactitude the evils which for a generation the patriotic party had striven to check and which had now reached the height of their baneful strength.⁴

Charles's anxiety to obtain supplies for suppressing rebellion in Scotland was extreme. He offered to cease levying Ship-money, if Parliament would provide for the maintenance of the fleet in any other way, and he appealed to the Lords to join with him in preserving his rule and the nation's safety, if the Commons were to fail in their duty. This elicited a definite declaration from the latter that "till the liberties of the House and king-

¹ Rushworth, *Collections*, part 2, vol. II, p. 1119.

² Sanford, *Studies and Illustrations of the Great Rebellion*, p. 168.

³ *Old Parl. Hist.*, vol. II, p. 535.

⁴ Rushworth, *Collections*, part 2, vol. II, pp. 1131-36.

dom were cleared, they knew not whether they had anything to give or no." By the advice of Strafford the King at once appealed to the Lords and obtained from them a decision that in their opinion a grant of money for immediate and pressing needs should take precedence of any statement of grievances. The breach of privileges involved in this did not pass unnoticed,¹ but before the matter could be discussed Parliament was dissolved. Fighting had again broken out in Scotland, and the King again asked for a grant of money for military purposes, with the definite announcement that refusal would be followed by a dissolution. In order to propitiate the Commons he offered to give up Ship-money, and to arrange for a reversal by Parliament of the judicial decisions which had been obtained to sanction it. In return for this concession he desired a grant of twelve subsidies, or £840,000 Sterling. Less than this, he thought, would not serve his purpose.² Had he simply left the amount of supply to the House of Commons there can be no doubt that something would have been voted, and this would have meant his obtaining some measure of support in dealing with his rebellious subjects in Scotland. Strafford strongly advised him to adopt this course. When the matter came before the House of Commons Hampden proposed that the vote should be as to whether the King's request as contained in the message should be granted or not. Hyde proposed that the question should rather be as to whether any supply whatever should be granted. His idea was that while the majority of the House would probably refuse to give all that was asked by the King, only a small minority would be opposed to making any grant at all, and that therefore he would secure some support for the King in crushing the rebellion. But this ingenious attempt to compromise matters and to avoid a deadlock was quashed by the announcement of the Secretary of State, Sir

¹ *Old Parl. Hist.*, vol. II, pp. 560-3: Clarendon, *Rebellion*, II, 69.

² Gardiner, *Fall of the Monarchy of Charles I*, vol. I, p. 325.

Henry Vane, that less than the amount mentioned would not be accepted by the King. No decision was arrived at, and the matter was postponed until the following day (5 May).

Charles was now called upon to act promptly, if he were not to abandon his whole case. Unless he instantly dissolved Parliament there was a strong likelihood that, instead of the supply demanded by him being granted, a petition from both Houses in favour of his coming to terms with the Scots would be passed. For there is no doubt that some of the hesitation and delay on the part of the Parliament in dealing with the matter of a grant was due to their disapproval of a war with Scotland in order to force Episcopacy on that nation. The Bishops were unpopular with both the Lords and the Commons and with a large section of the general population; so that gratitude to the Scots for assailing a common enemy and for compelling the King to summon Parliament again was uppermost in many minds. Yet to ask Charles to submit to the rebels was scarcely less humiliating than a request for him to abdicate would have been. A meeting of the Privy Council was called for six o'clock on the morning of the next day, and the Speaker of the House of Commons was ordered not to take his place, lest the dreaded petition should be voted before it could be hindered. The Privy Council met, and, in view of a statement made by Sir Henry Vane that the House of Commons would give no grant, they decided in favour of a dissolution. This decision was at once carried into effect.¹

The dissolution of this Parliament was one of the great mistakes committed by Charles I, and it is said that immediately after it had occurred he would willingly have recalled it, if it had been possible to do so. The more extreme members of the popular party who thought that the tone of the House of Commons was too friendly to

¹ Gardiner, *Fall of the Monarchy of Charles I*, vol. I, p. 330: Whitelock, *Memorials*, p. 34.

the King were pleased at the dissolution. As one of them said: "This Parliament would never have done what was necessary to be done."¹ Nothing more hopeless and depressing could well be imagined than the present condition of Charles and his advisers. The agonizing struggles to raise a revenue by unconstitutional means, the difficulty of preserving even a semblance of order in the capital, the mutinous condition of the army, Scotland virtually lost to the King, and Ireland in the absence of Strafford becoming restive, all combined to produce a confusion for the remedy of which nothing could be suggested but the summoning of another Parliament. Yet nothing could be more certain than that such an assembly would take the control of matters out of the King's hands, and inflict swift and heavy chastisement upon those who were counted by the nation as his evil counsellors. The general distress of the time could not be prevented from penetrating the household of the King himself. It is said that at this time the Prince of Wales, afterwards Charles II, then a boy of ten years of age, wept bitterly for days and was terrified with dreams by night. On his father's asking him what was the matter with him he sullenly replied: "Your Majesty should have asked that sooner." When pressed to explain his meaning he said: "My grandfather left you four kingdoms, and I am afraid your Majesty will leave me never a one." "Who have been your tutors in this?" was the King's reply.²

Curiously enough one of Vane's first experiences in office was his having to employ Ship-money, raised by methods he must have regarded as illegal, to equip war-vessels for overawing the Scots, with whom his sympathy must have been strong. As matters turned out he was soon called to take a more active and personal share in the conflict between Charles and his subjects and to support the royal cause. In the meantime the responsibilities of office occupied him and hindered his

¹ Clarendon, *Rebellion*, II, 78.

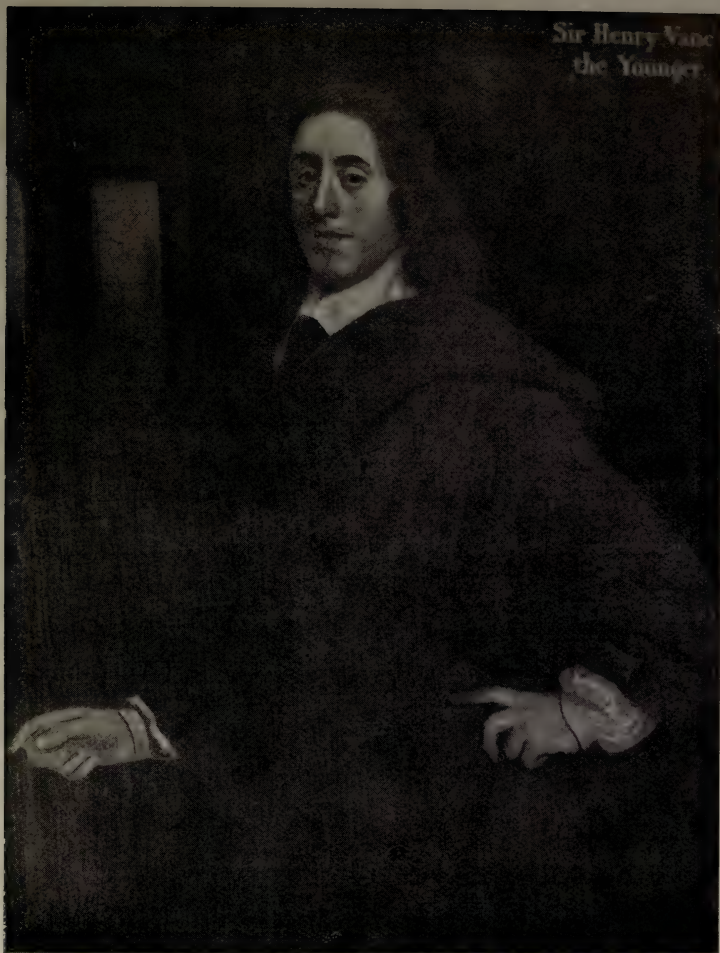
² Quoted in Taylor's *Life of Queen Henrietta Maria*, vol. I, p. 211.

taking any prominent part in political life. Clarendon, indeed, speaks of him as seeming after his return from New England much reformed in what he calls his "extravagances," and as "seeming a man well satisfied and composed to the Government."¹ In view, probably, of his approaching marriage he received knighthood from Charles I on 23 June, 1640. On 1 July he married at St Mary's, Lambeth, Frances, a daughter of Sir Christopher Wray, Kt., of Ashby and Barlings, Lincolnshire. Sir Christopher was very eager in endeavouring to secure a handsome jointure for his daughter. Vane, indeed, suggested to his father in some correspondence on the subject, that is still extant, that some of the demands were exorbitant and were made with a view to their being probably reduced by the other party. The elder Vane's provision for his son was on the most generous scale. In the autobiographical fragment already referred to he says: "When my eldest son married, which was the 1 July, 1640, I settled on him all the lands I had then in England, with three fair mansion-houses, Raby Castle, Fairlawn, and one in London. The lands at present are well worth £3,000 per annum. When my lease expires, which will not be long, they will be worth nearer £5,000 than £4,000 a year." In addition to this Sir Henry also gave his son the third part of a lucrative Chancery office which he held.²

In spite of this handsome settlement and of the ample official salary enjoyed by Vane pecuniary difficulties were not unknown to him in after life. His position in society as a political leader vastly increased his expenses and hindered that careful attention to his own private affairs which those in obscurer circumstances can exercise. In addition to this he suffered very heavy pecuniary losses during the Civil War. Raby was three times occupied by the Royalists, and in the end was occupied for some time by a Parliamentary garrison. The elder Vane esti-

¹ *Rebellion*, III, 34.

² Dalton, *Wrays of Glentworth*, vol. II, pp. 101, 115.



SIR HENRY VANE THE YOUNGER

mated the loss sustained in the matter of unpaid rents, property plundered, and timber destroyed, as not less than £16,000 Sterling.¹ Sikes speaks of the younger Vane being in embarrassed circumstances at the time when he resigned some of the profits of his office, and he credits him with a considerable measure of disinterestedness in acting as he did. "Were his personal circumstances," he says, "and the condition of his family affairs at that season and since well known, it would render this piece of self-denial more memorable."² A formidable list has been made out of members of the Long Parliament who enriched themselves at the public expense.³ But Vane is free from this reproach. "Such were his abilities," says Sikes in another passage, "for dispatch of a business, if good, or hindering it, if ill, that had his hand been as open to receive as others to offer, in that kind, he might have treasured up silver as dust. Many hundreds *per annum* have been offered to some about him, in case they could but prevail with him only not to appear against a proposal. On the least intimation of such a thing to him, he would conclude it to be some corrupt, self-interested design, and set himself more vigilantly and industriously to oppose and quash it."⁴

¹ Dalton, *Wrays of Glentworth*, vol. II, p. 114.

² *Life*, p. 97.

³ *Notes and Queries*, 11th Series, vol. III, 12 Feb. 1911. Cf. Milton's reference to the Long Parliament (*History of England*, Book III): "Not to reckon the offices, gifts, and preferments bestowed and shared among themselves."

⁴ *Life*, p. 97.

CHAPTER VI

War with Scotland—Vane at the Battle of Newburn—Meeting of the Long Parliament—Arrest of Strafford—Vane's discovery of evidence against him—Trial of Strafford—Vane's share in securing his condemnation—Strafford's execution—Imprisonment of Laud—Charles resigns the power of dissolving Parliament.

Only six months elapsed between the dissolution of the "Short Parliament" and the summoning of that which is known in history as the Long Parliament, which ultimately overthrew the power of Charles I and abolished the monarchy. In striking contrast with the indecision and helplessness of the English Government, the authorities in Scotland formed definite plans and carried them out with swift and unwavering resoluteness. They suppressed the Royalist party in Scotland so as to present a firm and united front to the enemy and resolved to carry the war into his quarters. Hitherto they had merely acted on the defensive. The menacing aspect of the Covenanting army at Duns Law had compelled Charles to negotiate with his rebellious subjects; but now the latter crossed the Tweed, scattered the forces opposed to them at Newburn on the Tyne and occupied the two northern counties of Northumberland and Durham.¹

Though Vane had declined to adopt the military profession there are one or two occasions when he rendered military service, or at least appeared in arms. One of these was in connexion with this invasion of England

¹ Burton, *History of Scotland*, vol. VI, p. 302.

by the Scots. In consequence of the call now made upon those who held land by feudal tenure to render personal service in time of war, Vane had to equip and bring into the field his quota of men from his Durham property. What the actual share was which Vane had in this campaign we do not know. Probably it was but nominal, as the company raised from his tenants was commanded by his younger brother George. The latter showed conspicuous bravery on the occasion of the Battle at Newburn and received knighthood later in the same year, no doubt in recognition of his services there. What these were a contemporary narrative tells us.

“On Thursday last,” we read, “the Scottish rebels advanced as far as the river six miles above Newcastle and planted eleven pieces of ordnance on the bank. On Friday afternoon they began to pass the ford where his Majesty had ordered that they should be opposed. A thousand cuirassiers and two thousand five hundred foot were accordingly drawn thither on the Wednesday, with only two pieces of artillery. Secretary Vane’s son, who led my Lord General’s troop, gave the first charge. His horse being wounded in two places fell down, but presently got up again. Charging a second time he was encountered by the Sheriff of Teviotdale whom he killed with his sword, and then he came off with the loss of all his troop save six horses. . . . Mr. Vane complained in his letter that if he had been well seconded it would have been easy to have driven the Scots back across the river.” Sir John Ashly, however, with the army that lay entrenched some three miles from Newcastle retreated southward towards the King, and the Scots thereupon took the town without a blow.¹

In a scurrilous lampoon published thirteen years after this time reflections were cast upon Vane’s conduct in connexion with this brief and inglorious campaign. The satire in question, to which we have already alluded,²

¹ *Hist. MSS. Com.*, vol. X, part 4, p. 393.

² P. 27.

consists of burlesque titles of books in what is called "The Library of the Parliament" (*Bibliotheca Parliamenti*). One of these supposititious books is entitled "Ελαφρότης [*the nimble*], *Newburn Heath*, an excellent Poem in Praise of one Pair of Legs, by Sir Henry Vane, Jr." A note of explanation asserts that Vane, though courageous as a politician, was an arrant coward, and saved himself by flight on the occasion in question.¹ We scarcely, however, need to take this matter seriously. It is enough for us to say that though the army to which Vane belonged played a somewhat discreditable part in this battle, the company with which he was connected and of which his brother was captain did good service. What share he himself actually had in the proceedings is a matter of which probably the author of the lampoon knew as little as we do.

The circumstances of the fight at Newburn were altogether extraordinary. The raw, untrained soldiers hastily levied were no match for the splendid army of invasion and could not stand before it. Apart from this a very large section of the English nation wished well to the Scots in their enterprise. The latter announced themselves as liberators of the oppressed, and the news of their victorious progress was hailed with joy in London.² Nor was the profession of benevolent motives on the part of the invaders altogether unfounded. They put an end to Charles's autocratic rule. He was compelled to call a Parliament and in the meantime to pay the expenses of the army which had inflicted upon him so profound a humiliation.

The Long Parliament met on 3 November, 1640, and in it Vane sat again as member for Hull. The position in which Charles I now stood was desperate in the extreme. The Parliament he had been compelled to summon was thoroughly representative of his exasperated people, and was determined to put an end to the

¹ Somers, *Tracts*, vol. VII, p. 92.

² Baillie, *Letters*, vol. I, p. 282.

evils of which they had so long complained. This of itself was a formidable position of matters. But there was the additional consideration that the Parliament had the moral support, and would, if necessary, have the material support of the Scottish army now encamped on English soil and in possession of a substantial portion of English territory. No forces at the King's disposal could hinder their advance, if they chose to make it, from the banks of the Tees to those of the Thames. Indeed if they did not receive the subsidy of £850 Sterling a day, which Charles by the Treaty of Ripon had undertaken to pay them, their appearance at Whitehall might be counted upon. With singular denseness of mental perception he failed to recognize the situation in which he was placed, and in his opening speech to the Parliament he invited the aid of his English subjects in chasing out these rebels.¹ Two days later he found it necessary to explain away the harsh phrase, and he referred to the same persons as subjects of his with grievances to which he was anxious to give a full and gracious answer.²

The fact that Vane was a member of the Long Parliament does not require us to give minute details concerning all its proceedings. It is sufficient for our purpose to describe the general tenor of them and to give special particulars only in the case of matters with which he was more intimately connected. The general situation in England may be described as follows. In spite of all endeavours to influence the elections the Court could not count upon the support of more than a third of the members of the House of Commons; while even in the House of Lords there was so strong a party in full sympathy with the majority in the Lower House that the King's friends there were overborne and intimidated. The firm conviction of the popular party was that in the misgovernment to which the nation had been subjected there had been a

¹ Baillie, *Letters*, vol. I, p. 273: Rushworth, *Collections*, part 2, vol. II, p. 1335: Sanford, *Studies and Illustrations of the Great Rebellion*, p. 294.

² Rushworth, *Collections*, part 2, vol. II, p. 1336.

deliberate, coherent and determined attempt to overthrow civil liberty and Protestantism, and that security for the preservation of both could only be found in curbing the Royal power and in proscribing evil counsellors. However imperfectly founded the belief may have been, the fact that it was widely and tenaciously held is indisputable. In consequence of it the Parliamentary leaders drew up a list of those advisers and ministers of the Sovereign whom they thought it necessary to call to account.¹

A distinct change was noticeable, Clarendon tells us, in the tone of this Parliament as compared with that of its predecessor. The same men who on the former occasion were evidently of very moderate temper, and inclined rather to try to cure what was amiss than to make too deep scrutiny into the causes of the malady "talked now in another dialect both of things and of persons." Pym, with extraordinary candour, openly avowed the resolution which filled so many hearts to carry out the work of reformation thoroughly. He said: "That they must now be of another temper than they were at the last Parliament, that they must not only sweep the house clean below, but must pull down all the cobwebs which hung in the top and corners that they might not breed dust and so make a foul house hereafter; that they had now an opportunity to make their country happy by removing all grievances and pulling up the causes of them by the roots, if all men would do their duties."²

While in a sense the King and his ministers were at the mercy of a Parliament hostile to them it was not to be supposed that they would succumb without a struggle. There was, consequently, a risk that they would attempt to regain supremacy by a *coup d'état* suddenly and resolutely effected. The one man capable of executing this design was Strafford. His influence with the King, his

¹ Gardiner, *Fall of the Monarchy of Charles I.*, vol. II, p. 11.

² *Rebellion*, III, 3.

imperious temper, and his predilection for a bold and daring policy in dealing with public discontent made him a most dangerous foe. Had it not been the duty of the Parliament to impeach "that grand apostate to the Commonwealth"¹ the instinct of self-preservation would have impelled them to do so.

Strafford was at this time in Yorkshire with the army of which he was the commander-in-chief. If the decision had been left to him he would have preferred to remain there. Reluctantly and at the repeated request of the King, who assured him of protection, he came up to London. His scheme was to accuse the principal members of the Opposition of treason in having encouraged and invited the Scots to invade England—a charge for which there was enough evidence to warrant the arrest of the accused.² But the scheme came to nothing. Probably at the last moment the King hesitated to give it the support needed to make it successful. For, though Strafford on the day after his arrival in London was in his place in the House of Lords, he let the golden opportunity pass of launching his thunderbolt. Before twenty-four hours had elapsed the Commons had impeached him and he was a prisoner in the Tower on a charge of treason. With the arrest of Strafford the fabric of Charles I's arbitrary government fell to the ground. As Hallam says: "Charles from that hour never once ventured to resume the high tone of command congenial to his disposition, or to speak to the Commons but as one complaining of a superior force."³

We have already alluded to the part which Vane took in the procedure against Strafford. This was so singular that we must relate the whole circumstances in detail. The elder Vane and Strafford were on hostile terms with each other, and were the leaders of rival factions at Court,

¹ So called by Lord Digby in his speech against the Bill of Attainder.

² Rushworth, *Straf. Trial*, p. 2: Laud, *Works*, vol. III, p. 295: Sanford, *Studies and Illustrations of the Great Rebellion*, p. 309.

³ *History of England*, vol. II, p. 104.

the former having the support of the Queen, while the latter was strong in the King's favour. On Strafford's receiving an earldom he chose as his second title that of Baron Raby. Clarendon tells us that his taking a title from Vane's property was prompted by mere wantonness and contempt. "It was," he says, "an act of the most unnecessary provocation (though he condemned the man with marvellous scorn) that I have known, and I believe was the loss of his head."¹

In the September of 1640 the younger Vane needed some legal document in connexion with his marriage-settlement, and received from his father, who was then in the north with the King, the keys of the boxes in which his papers were kept. After he had got the document for which he was searching he examined out of curiosity "a red velvet cabinet" which stood with the other boxes. Among the papers in it he found the notes of the Council-meeting at which it had been decided to dissolve the last Parliament. In his father's own handwriting were brief reports of the speeches of various members of the Council on that occasion. One of the speakers was Strafford, and the words attributed to him seemed evidently to advise the employment of an army from Ireland to coerce the people of England in case of rebellion. He showed the document to Pym, who at once realized the immense value of evidence like this against the Lord Lieutenant, and wished to take a copy of the words. Naturally enough Vane shrank at first from giving permission for this to be done; "but," as we are told, "when Mr. Pym informed him that it was of extreme consequence to the kingdom, and that a time might probably come, when the discovery of this might be a sovereign means to preserve both Church and State, he was contented that Mr. Pym should take a copy of it."² It was this document, as we shall see, that settled Strafford's fate, and Pym began

¹ *Rebellion*, II, 101: *S. P. Dom.*, 1639-40, 7 Feb.: Sir Richard Cave to Sir Thos. Roe.

² Clarendon, *Rebellion*, III, 132: Baillie, *Letters*, vol. I, p. 345: Whitelock, *Memorials*, p. 43.

the prosecution with the knowledge that in case of necessity he could make use of it for that purpose.

The conduct of Vane in this transaction has certainly on the face of it an ambiguous appearance. But we do not think that it calls for an elaborate defence. When we look into the circumstances of the case we find that we have to do with a very simple instance of the conflict of duties. On the one hand the paper which he brought to light was of a confidential character, and a sense of obligation to his father would naturally incline him to abstain from using it; while on the other hand the causes of religion and of patriotism seemed to demand the employment of it to secure the defeat of a public enemy. The matter was one which could only be settled by the conscience of him who was placed in this dilemma. That Vane was a man of sensitive conscience is beyond all doubt; and so, though we admit that another placed in his circumstances might have come to a different conclusion, we have no hesitation in believing that he himself was convinced that he had acted with absolute integrity in the matter. As Dr Gardiner, the historian, suggests, he might think that murder should be hindered at any cost, and that the bringing over of Irish troops was, in the circumstances, as heinous as murder.¹

The consensus of public opinion against Strafford was both full and strong. "A greater and more universal hatred," says the Earl of Northumberland, "was never contracted by any person than he has drawn upon himself."² Even at Court the King was his only friend, and how little trust was to be put in the friendship of princes Strafford was soon to experience. The impeachment, in which the Commons were the accusers and the Lords the judges, began in Westminster Hall on 22 March, 1641. The scene, as Baillie has described it in his letter to the Presbytery of Irvine, is one of the most vivid in the famous series for which we are indebted to him.

¹ *Fall of the Monarchy of Charles I*, vol. II, p. 131n.

² *Sidney Papers*, vol. II, p. 663

To it we refer our readers for a description of the pomp and circumstance of the trial, which in many respects was strangely like a theatrical performance—the King and Queen surveying it from a private box, the peers in their robes, the crowds of ladies—"the most glorious assembly the isle could afford"—the bustle and noise in the intervals and the hasty meals then snatched—"bottles of wine and beer going thick from mouth to mouth without cups."¹

The substance of the charges brought against Strafford is given in the first article of his accusation: "that he had traitorously endeavoured to subvert the fundamental laws and government of the realms of England and Ireland, and instead thereof to introduce an arbitrary and tyrannical government against law, which he hath declared by traitorous words, counsels and actions, and by giving His Majesty advice by force of arms to compel his loyal subjects to submit thereunto."² The specific accusations against him were based mainly upon his proceedings in Ireland. They included a great variety of charges—interference with the ordinary administration of justice, infliction of arbitrary fines and imprisonments, extortion by armed force of money demanded without legal warrant, and, to sum up all in a phrase of one of his prosecutors, his resolution to allow no law to stand against his will.

The various charges were carefully considered, and the Earl conducted his own defence with great ingenuity. His gallant bearing and his eloquence produced a favourable impression on many of his hearers. His main line of defence was that all the errors and faults which might have marked his administration did not amount to treason. What was not contained in any one of the articles of his accusation could not be found in the sum of them. The crime of treason, according to the statute of Edward III, consisted in compassing or endeavouring

¹ *Letters*, vol. I, p. 314; Whitelock, *Memorials*, p. 42.

² *Lords' Journals*, vol. IV, p. 97.

to compass, the death of the Sovereign. As long as he had not been guilty of this offence Strafford maintained his innocence of the charge of treason. He fought strenuously against what he maintained was a new interpretation of the law of treason and especially against that interpretation being made retrospective. Yet though one's sympathy is naturally excited for a brave man who is fighting for his life against an overwhelming mass of foes, it would be unfair to his accusers to believe that they ignored justice in their determination to crush him. Trials for treason under Tudor sovereigns had been based upon such an interpretation of the statute of Edward III as extended it to resistance of royal authority and to attempts to overthrow the constitution. Of conduct of this type Strafford had been guilty.¹

But, in addition to this, one article of the accusations against him—that of extorting money by armed force—was virtually a charge of making war against the Sovereign, and so, when proved, sufficient to secure his condemnation under the statute in question. Strafford might protest vehemently that his condemnation was effected by an alteration of the law of treason, but he knew perfectly well that the action above specified involved the risk of a death penalty. In a discussion on one occasion at the Council Board in Ireland regarding the power of the Council to levy money without the authority of Parliament he asserted that there was no need for his even consulting his colleagues on this matter. "For," said he, "rather than fail in so necessary a duty to my master, I would undertake upon the peril of my head, to make the King's army able to subsist, and to provide for itself amongst them, without their help."² The risk was, therefore, wilfully incurred and the penalty he suffered was amply justified. Had he escaped punishment we should have had in the fact a notable illustration of the charge which has been brought against human

¹Gardiner, *Fall of the Monarchy of Charles I*, vol. II, p. 105.

²Strafford, *Letters*, vol. I, p. 98.

laws since the time of Solon, "that they were like cobwebs, where the small flies were caught and the great brake through."¹

On the fifteenth day after the trial opened the charge was brought against Strafford of menacing England with an army of Irish Papists. The point at which the advice was given, for which he was now called in question, was when the Short Parliament had been dissolved without granting supplies. The committee of eight specially charged with the oversight of Scottish affairs were consulted by the King as to what step should be taken in dealing with the rebellion in Scotland. What it was that Strafford said on that occasion was the matter in dispute. The Secretary Vane was called as a witness and testified that the following words or words to the like effect had been used by him: "Your Majesty, having tried all ways, and being refused, in this case of extreme necessity, and for the safety of your kingdom, you are loose and absolved from all rules of government. You are acquitted before God or man. You have an army in Ireland; you may employ it to reduce this kingdom."² Vane was pressed to say whether "this kingdom" meant England or Scotland, but he declined to give any interpretation of the words. Strafford himself asserted that his advice had simply been to the effect that ordinary rules did not suffice for some extraordinary emergencies. "In case," he said, "of absolute necessity, and upon foreign invasion of an enemy, when the enemy is either actually entered or ready to enter, and when all other ordinary means fail, in this case there is a trust left by Almighty God in the King to employ the best and uttermost of his means for the preserving of himself and his people."³ But he absolutely denied that he had proposed to bring the Irish army into England. His scheme, he said, had been to land it at Ayr. Of the

¹ Plutarch, *Solon*, V, 2.

² Sanford, *Studies and Illustrations of the Great Rebellion*, p. 326.

³ Gardiner, *Fall of the Monarchy of Charles I*, vol. II, p. 123.

councillors who were present, besides himself and Vane, two were unavailable as witnesses. Laud was now in prison and Windebank was a fugitive in Holland. The remaining four virtually confirmed Strafford's statements as to what his advice had been. In this uncertainty it became of extreme importance to know, if possible, what Strafford had said on the occasion in question. The Secretary Vane had taken a minute of the proceedings—the document which his son had found in "the red velvet cabinet." But it had disappeared. The King had recently called for it and ordered it to be burned.¹

Pym now revealed the fact that he had taken a copy of the document in question.² He read it and called upon the younger Vane to substantiate his statements. The latter rose, as Clarendon says, "in some seeming disorder," and related the whole incident. In conclusion he said: "He knew this discovery would prove little less than his ruin in the good opinion of his father; but having been provoked by the tenderness of his conscience towards his common parent, his country, to trespass against his natural parent, he hoped he should find compassion from that house, though he had little hopes of pardon elsewhere."

His father then rose and expressed his confusion and shame at the manner in which the private document had been disclosed. The matter was not quite new to him, for two days before, apparently when the managers of the prosecution had decided upon using their secret information, he had been told of his son's action. He admitted that with the King's consent he had burned a number of papers, which were "not likely to be of further use and might come into hands that might make an ill use of them," and that this paper had been among them. Clarendon speaks of the elder Vane's having

¹ Gardiner, *Fall of the Monarchy of Charles I*, vol. II, p. 131.

² It is somewhat curious that the copy which Pym took of the paper which the younger Vane disclosed to him disappeared in the course of Strafford's trial, and in spite of most careful search could not be found. It afterwards turned up among Charles's papers captured at the Battle of Naseby and is now among the MSS. in the House of Lords.

naturally an appearance of sternness, and he admits that his present speech was delivered with a becoming air of embarrassment; but he considers that the whole transaction, so far as the Vanes were concerned, had been pre-arranged. "This scene," he says, "was so well acted, with such passion and gestures, between the father and the son, that many speeches were made in commendation of the conscience, integrity and merit of the young man, and a motion made that the father might be enjoined by the house to be friends with his son; but for some time there was, in public, a great distance observed between them."¹

Clarendon was firmly convinced that the elder Vane's hatred of Strafford, who had so wantonly provoked him, was so great that there were no limits to his desire for revenge, that he was willing to sacrifice honour and faith, and his Sovereign's interests, in order to ruin his enemy, and that he had virtually furnished his son with the incriminating paper. But we think that he is in error on this point. There being no positive evidence in support of a charge of collusion, we can only speak of the likelihood or unlikelihood of the charge being well-founded. What is known of the character of the younger Vane makes it difficult to believe that he would have taken part in such a mean fraud; while the fact that his father held office for some seven months after this is almost certain proof that the King did not suspect him of any such fault. No one could have been more sensitive than Charles was as to the slur cast upon his honour when he was compelled to give up Strafford to his enemies. The faintest suspicion of his Secretary's treachery in the matter would, we are convinced, have brought about his instant dismissal.

The trial of Strafford, which lasted for a little over three weeks, was abandoned and a bill of attainder against him was brought into Parliament. Some mystery hangs

¹ Clarendon, *Rebellion*, III, 137: Sanford, *Studies and Illustrations of the Great Rebellion*, p. 329.

about this change of policy.¹ But probably the fact that there was no existing law under which the accused could without controversy be condemned to death for any of his offences rendered it highly probable that he would escape the vengeance of the Commons. Of course the success of a bill of attainder, to which some in the House of Lords took exception and which the King declared he would never sign, was not absolutely certain; but the pressure of public opinion was likely to force through such a measure—a pressure to which judges are less amenable. On the bill's passing the Commons Charles wrote to Strafford assuring him, on the word of a King, that he would not suffer in life, honour, or fortune.² But the fulfilment of this pledge was out of the King's power. Public feeling was profoundly exasperated by the plots formed or encouraged at Court for rescuing the accused by force; and it is certain that had Charles refused to assent to the bill he would have provoked an *émeute* in which he and his wife and children might have perished. And so on 10 May, 1641, with bitter protestations that Strafford's condition was happier than his own, Charles gave his assent, and two days later the execution took place on Tower Hill.³

Strafford's arrest had taken place on 11 November, 1640, and on 16 December following, Laud also was committed to the custody of Maxwell, Usher of the Black Rod, on the same charge of treason. Sir Harbottle Grimston, in supporting the resolution to accuse him, described him as "the root and ground of all our miseries," and as "the sty of all the pestilential filth which had infested the State and Government of the Commonwealth."⁴ His words may seem outrageously virulent, but if they meant that most of the agents of

¹ Gardiner, *Fall of the Monarchy of Charles I*, vol. II, p. 132; Sanford, *Studies and Illustrations of the Great Rebellion*, p. 336.

² Strafford, *Letters*, vol. II, p. 416.

³ Gardiner, *Fall of the Monarchy of Charles I*, vol. II, p. 175; Sanford, *Studies and Illustrations of the Great Rebellion*, p. 361.

⁴ *Commons' Journals*, vol. II, p. 54.

despotism from Strafford downwards had been appointed through his influence, and that he had been the great promoter of what was generally regarded as a Romanizing tendency in the Church, they could scarcely be pronounced exaggerated. When the formal articles of impeachment were ready he was sent to the Tower, where he lay for more than three and a half years before being brought to trial.

Along with the bill of attainder condemning Strafford there was presented to Charles a bill prescribing that the present Parliament should not be dissolved without its own consent. This latter measure, which rendered members of Parliament independent both of the King and of their own constituents, seems to us such an extraordinary violation of the constitution and so frankly revolutionary that the general consent of both Houses to it and the King's acceptance of it are at first sight alike inexplicable. Yet the explanation is soon found. It was the reply of the Parliament to the army plots which Charles had undoubtedly encouraged. A man who had planned to disperse the Parliament by armed force provoked such a retort as this, and very shame allowed no word of remonstrance to escape his lips. In order to secure their own personal safety and to carry on the government of the country it was necessary that members of Parliament should be protected against such brutality; and so the measure, which, as we have said, seems at first a revolutionary one, was in the circumstances natural and inevitable.¹ Of course, when Parliament was firmly entrenched behind this line of defence it speedily adopted a tone of command very unwelcome to royal ears; but this change of relations was not so much due to usurpation of authority on its part as to the forfeiture on the part of the King of a measure of that power which he had proposed to put to a criminal use.²

¹ Even Hyde with his legal pedantry and conservative instincts voted for this measure. His biographer, Lister, is in error on this point.

² Gardiner, *Fall of the Monarchy of Charles I*, vol. II, p. 181.

CHAPTER VII

Legislation on Church matters—"Root and Branch" petition—Unpopularity of the Bishops—Vane becomes prominent in Parliament—His first great speech—Charles's journey to Scotland—Vane active in the prosecution of Laud—Charles's attempt to seize the Five Members—He leaves London—He dismisses the Vanes from his service—He raises his standard at Nottingham—Battle of Edgehill—Negotiations with the King.

The circumstances in which this Parliament met insured the existence in it of a faction that would demand violent changes and far-reaching reforms, and that would soon repel those of more moderate aims. And so it was inevitable that after the removal of some of the more pressing grievances differences of opinion should arise with regard to the need of further reforms, and that some who were eager to correct abuses should hold back from constitutional changes. It was when Church matters came up for consideration that this difference showed itself, and those, who had been unanimous in demanding redress of certain grievances and the punishment of public offenders, broke up into opposing factions. The need for dealing with ecclesiastical matters was unfortunately beyond all question. Many were the elements of confusion in the Church and lamentable the extent to which the resultant evil had spread.¹ The compromise in religious matters effected by the Eliza-

¹ Full proof of this fact the reader may find in Richard Baxter's description of the condition of matters in his early days (*Reliquiæ Baxterianæ*, part I, pp. 1-3).

bethan settlement had postponed and not removed the difficulties of the situation. The new wine of Protestantism ever threatened to burst the bottles into which it had been poured. The Church in England, too, could not be isolated from European movements which served to intensify the conflict of parties—the revival under Calvin of the spiritual teaching of St Paul and St Augustine, and the encroachments of the Roman Catholic Church, which in the reaction succeeding the Reformation was winning back province after province from its opponents. In addition to these causes of disorder there were those arising from the decay of discipline. The Episcopal form of government had been so seriously discredited by the tyranny or inefficiency of many of its representatives that a very strong desire prevailed in many quarters for its abolition. The ferment resulting from the operation of these various forces was intense, and the aid of Parliament in restoring some measure of peace and order was loudly demanded.

As the question of religion was the most difficult with which the nation had to deal, so was it that which excited the deepest feeling in the society of that time. It was, indeed, by their attitude towards it that the members of the Long Parliament were first divided into definite political parties—the original, indeed, of those which have since dominated public life in England. Our special concern with the matter here is due to the fact that, as might have been expected from his character and past history, Vane took the deepest interest in the subject. The zeal and ability, indeed, with which he addressed himself to it brought him to the very front as a Parliamentary leader.

Some modern writers treat the ecclesiastical history of this period in which Episcopacy was assailed and for a time suppressed, as though it were the case of the Church's suffering at the hands of its enemies. In such books we find phrases like "the war of Puritans against the Church." Such a view of matters is utterly mis-

leading. If by "the Church" is meant in this case the Church of England, the Puritans were as truly members of it as was Laud himself; and the element of fermentation which they contributed to the public life of their time was as lawfully derived as was that of their opponents. For, with the exception of a small number of separatists, the Puritan party existed within the Church, and had existed within it, under one designation or another, from the date of the Reformation. Their opponents had had the upper hand for a time, and now the Puritans came to the front—an alternation that might have continued to the present day, but for the fact that after the Restoration the Puritan section to a large extent seceded from the Church of England, or was expelled from it, and thereafter maintained a separate existence.

Within a few weeks after the meeting of the Long Parliament two petitions with regard to ecclesiastical matters were presented to it. The one was "the Root and Branch Petition" from the City of London, signed by fifteen thousand laymen and sixteen hundred and forty ministers, praying that "the government of archbishops and lord bishops, deans and archdeacons, etc., with all its dependencies, roots and branches, may be abolished." The other was "the Ministers' Petition and Remonstrance." It was signed by a thousand ministers and prayed for the complete reformation and regulation of Episcopal government.¹ These two proposals, to end or mend Episcopacy, were definite enough and sufficiently diverse from each other to afford alternative methods of dealing with the question; but the matter was not one on which a hasty decision was either practicable or desirable. The idea of setting aside an institution which had come down almost from the time of the Apostles was repellent to many minds, especially when it seemed likely that a much more stringent and searching rule than that of Bishops would be found in clergy of the

¹ Gardiner, *Fall of the Monarchy of Charles I*, vol. II, pp. 36, 57; Sanford, *Studies and Illustrations of the Great Rebellion*, p. 316; Neal, *History of the Puritans*, vol. II, p. 390.

Presbyterian type. On the other hand, a mere modification of Episcopacy was certain to be unsatisfactory to those who regarded the whole system as anti-Christian. While the exclusion of Bishops from the House of Lords—a measure which almost all were inclined to adopt—proposed a serious violation of the constitution, and one to which Charles declared he would never consent.

In the meantime the Scots, whose good-will it was desirable to retain, were pressing for a union in religion between the two countries, and this meant the acceptance of Presbyterianism on the part of England. Altogether the condition of matters was too complicated to be easily set right by legislation; and, indeed, it was one of the grotesque consequences of the union of Church and State that the task of attempting to set it right should have been laid upon Parliament at all. Amid all the differences of opinion there was only one point on which there was unanimity, and that was the necessity felt by all for bringing down “the wealth, pride and tyranny” of the existing Bishops. The strength of this feeling we can measure from the speech, not of a captious Puritan, but of a brilliant courtier, Lord Digby, who in one of the debates on this subject, argued strongly in favour of the retention of Episcopacy. Of the present Bishops he said: “Methinks the vengeance of the prelates hath been so layed, as if it were meant no generation, no degree, no complexion of mankind could escape it. . . . Was there a man of nice and tender conscience? Him they afflicted with scandal, . . . imposing on him those things as necessary which they themselves knew to be but indifferent. Was there a man of a legal conscience that made the establishment by law the measure of his religion? . . . Him they have nettled with innovations, with fresh introductions to Popery. . . . Was there a man that durst mutter against their insolences? He may enquire for his ‘lugs,’ they have been within the bishops’ visitation, as if they would not only derive their brandishment

of the spiritual sword from St Peter, but of the material one too, and the right to cut off ears. For my part, I profess, I am so inflamed with the sense of them, that I find myself inclined to cry out with the loudest of the fifteen thousand, 'Down with them! down with them! even unto the ground.' " His remedy for matters was the limitation of the power of the Bishops.¹

The question discussed was as to whether the petition demanding the abolition of Episcopacy should be referred to the committee for Church Affairs or not. In the end a compromise was effected. It was resolved that the question of the retention or abolition of Episcopacy should be reserved for the consideration of the House, but that the remaining matter in the petition should be referred to the committee. That body had consisted of twenty-four members. It was resolved to strengthen it by the addition of six names—three from each party. Among the three chosen from those who desired the abolition of Episcopacy we find the name of Vane.² His being chosen marks the prominent position to which he had already attained, and the definite and advanced views in Church matters which he was known to hold. The reputation, indeed, which he won for himself in parliamentary life is described by a kindred spirit, Edward Ludlow, afterwards one of the judges of Charles I. "In the beginning," he says, "of the great Parliament he was elected to serve his country among them without the least application on his part to that end. And in this station he soon made appear how capable he was of managing great affairs, possessing in the highest perfection a quick and ready apprehension, a strong and tenacious memory, a profound and penetrating judgement, a just and noble eloquence, with an easy and graceful manner of speaking. To these were added a singular zeal and affection for the good of the commonwealth, and a

¹ Rushworth, *Collections*, part 3, vol. I, p. 173.

² *Commons' Journals*, vol. II, p. 81; Baillie, *Letters*, vol. I, p. 306.

resolution and courage not to be shaken or diverted from the public service."¹

The formation of definite political parties was promoted and the difference between them accentuated by the attitude towards Episcopacy taken up by the House of Lords. The latter refused to alter the constitution by excluding the Bishops from their seats in Parliament; and this defiance of the wish of the majority of the House of Commons was answered by the introduction of the Root and Branch Bill for abolishing Episcopacy. The bill was drawn up by St John, the Solicitor-General, and its principal supporters were Vane and Cromwell.² The measure was opposed by a large minority in the Commons and was, of course, likely to be opposed by a large majority in the Lords, and so can have had but faint chance of success even in the view of its promoters. But persistence in it seemed at the time the only way in which to coerce the Lords into accepting the lesser scheme of exclusion. That this result had special attraction for the popular party we may believe when we remember that it would deprive the King of twenty-six sure votes in the House of Lords.

It was when the Root and Branch Bill was in Committee that Vane made his first great speech in Parliament. Hyde, an opponent of the bill, was in the chair. He had been appointed chairman in order to silence him as a debater, but he had the pleasure of using his office to obstruct the bill by throwing obstacles in its way. Nothing more radical in the way of change could readily be imagined than the proposal which Vane made for dealing with ecclesiastical matters, and to which he gave his whole support. "This Government," he said, in reference to Episcopacy, "hath been found by long experience to be a great impediment to the perfect reformation and growth of religion and very prejudicial to the Civil State." The idea of amending it he thought

¹ *Memoirs* (edited by C. H. Firth), vol. II, p. 339.

² Gardiner, *Fall of the Monarchy of Charles I*, vol. II, p. 191.

futile. "For," as he said, "the whole fabric of this building is so rotten and corrupt, from the very foundation of it to the top, that if we pull it not down now, it will fall about the ears of all those that endeavour it, within a very few years."

The changes which he advocated, and the violence with which he supported his proposals may seem repellent to many, but the indictment he brought against the government of the Church by the Bishops of his day was very crushing. "One fruit of this government of the Church," he said, "hath been the displacing of the most godly and conscientious ministers; the vexing, punishing and banishing out of the kingdom, the most religious of all sorts and conditions, that would not comply with their superstitious inventions and ceremonies; in one word, the turning the edge and power of their government against the very life and power of godliness, and the favour and protection of it unto all profane, scandalous, and superstitious persons, that would uphold their party. Thousands of examples might be given of this, if it were not most notorious." He also accused the Bishops of kindling war between England and Scotland—of provoking it by their canons, of promoting it by their counsels, and of providing funds for carrying it on. The strength of his speech lay in the truth of his accusations. This being incontestable, the system of Church-government assailed, fell to the ground, overborne not by the malice of enemies, but by its own corruptions and weakness.¹

Shortly afterwards, when the question came up as to what new form of government should be established, Vane proposed that in each diocese Commissioners, half of them chosen from the clergy and half from the laity, should take the place of the Bishop. But even this scheme seemed too conservative for the House of Commons in its present mood. Instead of it, the proposal

¹ Vane's speech is given in Forster's *Life of Vane*, p. 400.

was made to place all authority in the hands of nine lay Commissioners, who would have power to try ecclesiastical cases, to call synods, and to appoint divines in each county to ordain ministers.¹

It is not to be supposed that changes of such a drastic nature could be suggested without exciting great indignation and alarm in many quarters. Charles had in view a journey to Scotland, to obtain help from his northern subjects, whose demands he had satisfied, in recovering his authority in England, and he was anxious for the safety of the Church during his absence. He sent for Hyde and asked him whether he thought that the Root and Branch Bill would likely be carried in the House of Commons. Hyde answered that he thought not, or at least that the progress of the bill would be slow. "Nay," replied the King, "if you look to it that they do not carry it before I go to Scotland . . . I will undertake for the Church after that time." "Why then," said Hyde, "by the grace of God it will not be in much danger"—a prophecy which his position as chairman of committee gave him a certain power of fulfilling.²

On 10 August, 1641, Charles set out on his journey to Scotland. His doing so was, in the circumstances, a serious menace to the Parliament which had deprived him of so large a portion of his power, and laid violent hands upon those whom he regarded as his most zealous servants. His departure, in spite of protest and entreaty, was almost a declaration of war; and the expectation was widespread that he would return to London accompanied by a Scottish army and by the English troops at York. The danger may well have seemed extreme to many in the Commons. For, in spite of the recent co-operation between the Scottish army and the popular party in England, hostility between the two nations might be easily provoked. There was an element of danger, too, in the mood of the English army at the

¹ Shaw, *Minutes of the Manchester Presbyterian Classes*, Introduction, *passim*.

² Clarendon, *Life*, vol. I, p. 93.

present time. The soldiers had been discontented with the Parliament, and on the point of mutiny because of remissness in paying them. A more skilful intriguer than Charles might have made use of these circumstances to crush his opponents; but the latter were benefited by that "lack of perseverance in his plans" with which his Queen often reproached him, and which she declared had been his ruin.¹ In the meantime all parties in the Commons drew more closely together to protect themselves against the common enemy. The Root and Branch Bill, as being a controversial measure, was dropped, and steps were taken to pay off and disband the troops that might be used to overwhelm the Parliament.²

The King's journey to Scotland was, however, a failure so far as receiving aid from his Scottish subjects in restoring his lost authority in England was concerned. The fact that he now acquiesced with apparent goodwill in the ecclesiastical and political changes that had taken place in Scotland, and that he was in a conciliatory mood, led to a considerable measure of cordiality being shown him; but he very speedily discovered that he was no nearer than before to the realization of his schemes. He was compelled to make such additional concessions to the popular demands that he became merely the nominal King of Scotland. And when the Scottish army, which had returned from England, and which he expected would be kept on foot for a time, was disbanded, the last hope of receiving assistance from his northern kingdom at this juncture of his affairs disappeared.³

From the very first Vane devoted himself with intense eagerness to parliamentary work. So great were his talents, and so unremitting the zeal with which he applied himself to public business, that in a very short time he ranked immediately after Pym and Hampden as a leader of the popular party in the House of Commons.

¹ Taylor, *Life of Henrietta Maria*, vol. I, p. 264.

² Gardiner, *Fall of the Monarchy of Charles I*, vol. II, p. 235.

³ Willcock, *The Great Marquess*, pp. 132-45.

Of his assiduity in attending to business, his biographer, Sikes, says: "During the Long Parliament he was usually so engaged for the public, in the House and several Committees, from early in the morning to very late at night, that he had scarce any leisure to eat his bread, converse with his nearest relations, or at all to mind his family affairs."¹

We have already referred to the part he took in dealing with ecclesiastical matters in promoting the Root and Branch Bill. Some three months before he had been appointed by the House of Commons to arrange with the Lords for the prosecution of Laud for high treason.² It is singular to think of so young a man being entrusted with a responsibility of this kind. It is certain, however, that although no one could have been more firmly convinced of the guilt of the accused than he was, no malicious or unworthy motives were likely to influence him in entering upon the task of prosecution. The process against Laud was protracted by long periods of delay, so that nearly four years elapsed before the death sentence with which it closed was executed. In a later chapter we shall refer again to this episode, which seems, at first sight, to place the leaders of the popular party in a sinister light.

On 4 January, 1641, Charles perpetrated the act of supreme folly which filled the minds of even his most loyal supporters with dismay—his entering with armed force into the House of Commons to seize five of its members on the charge of treason. His purpose was to strike terror into the Parliament, and to regain his lost power. His design had been long cherished, and was part of an extensive scheme for overthrowing his opponents in both Scotland and England. So far as Scotland was concerned the plan of securing the leaders of the popular party, Argyll, Hamilton and Lanerick, by arresting them on a charge of treason, was disclosed to

¹ *Life*, p. 105.

² Laud, *Diary*, 26 Feb.: Rushworth, *Collections*, part 3, vol. I, p. 195.

them, and they saved themselves by flight from Edinburgh. The English Parliamentary leaders were so convinced that—to quote a statement made by Pym—there was “some wicked and mischievous practice to interrupt the peaceable proceedings of the Parliament still in hand,” that they demanded an armed guard for its members.¹ That the danger was real and not imaginary soon became evident, when Charles went in person to the House of Commons, accompanied by three or four hundred soldiers to seize five of its members, and thus exposed Parliament to the risk of a massacre in case his display of force provoked resistance. Vane took a prominent part in the proceedings by which the outraged Parliament vindicated its privileges and protested against the violation of them. It is characteristic of him that, in the midst of the storm of indignation which the King’s action had aroused, he was sufficiently composed to have it recorded that the House had no desire to protect the accused, if guilty of any crime, but would be ready to bring them to punishment, if the accusation were brought against them in a legal way.²

The course which events took after this is well known. On the day before the five members returned in triumph to Westminster, Charles left the capital, which he never again entered until immediately before his trial and execution. Both parties proceeded to make preparations for the war which now seemed inevitable. The Queen departed to the Continent, carrying with her the crown-jewels, which were to be pawned to provide money for military purposes; while the King took steps to secure Hull, which was not only amply provided with munitions of war, but was also, from its position, well adapted for receiving fresh supplies from the Continent.³

A striking incident is related of Vane at this time which illustrates his remarkable acuteness and self-

¹ Sanford, *Studies and Illustrations of the Great Rebellion*, p. 442.

² Forster, *Arrest of the Five Members*, p. 316; Whitelocke, *Memorials*, p. 52.

³ Gardiner, *Fall of the Monarchy of Charles I*, vol. II, pp. 427, 453.

possession in circumstances in which most men would have been carried away by their feelings. A strenuous contest had been waging between the Houses of Parliament and the King as to the control of the military forces of the realm. The Parliament demanded that only persons in whom they could confide should receive military command; while the King refused to allow the power of the sword to be taken out of his hands. On the occasion of the last message from the House to Charles with regard to this matter Vane was one of the committee appointed to deliver their demands. The King's refusal to acquiesce in these was stated in passionate terms which forbade hope of any accommodation. The committee thereupon retired to consider the report of the interview to be presented to Parliament. Whilst they were so engaged one of them, the Earl of Warwick, received an intimation from his brother, who was with the King, that a more satisfactory answer would probably be forthcoming, if the committee would wait a little. "To this," says our informant, "the whole company seemed to assent with much cheerfulness, when suddenly young Sir Henry Vane, a dark enemy to all accommodation, declared himself to wonder at it, and said, 'Is there any person here who can undertake to know the Parliament's mind; whether this which we have or that which is called a more satisfactory answer, will be more pleasing to the two Houses? For my part I cannot, and if there be any that can, let him speak.' To this no man was so bold as to give an answer; and so, having agreed upon their report, they departed." The Royalist historian who records the incident, says that it shows "how easily one subtle, ill-disposed person may overthrow a general good intention."¹ Whatever truth there may be in this reflection, the incident reveals to us Vane's clearness of perception and swiftness in decision, which largely account for the remarkable influence

¹ Eachard, *History of England*, p. 527.

exercised by him from the beginning of his public life.

It cannot be said that Charles was hasty in dispensing with the services of the Vanes. Sir Henry the elder accompanied him on his journey to Scotland, but on the return to London the King dismissed him from his offices of treasurer and secretary and from all his other Court appointments.¹ Soon afterwards the younger Vane was dismissed from his treasurership of the navy. Without delay the elder Vane joined the popular party, and was appointed at once a member of the committee which had charge of Irish affairs. Soon afterwards he was nominated as Lord Lieutenant of the county of Durham. When the final breach with the King occurred, the Parliament took up the cause of the younger Vane. He was appointed by an ordinance of Parliament to his former office and made sole treasurer of the navy (8 August 1642).² The appointment in question was one of the most important which the Parliamentary party made. The fact of having the navy on their side gave them a position of immense value in their contest with the Sovereign, as it secured for them seaports like Hull and Plymouth, by which supplies and ammunition from abroad might be most easily obtained. Such places could not be effectively beleaguered as long as those who defended them had the supremacy at sea. It was, therefore, a matter of great consequence for the Parliamentary party that the navy should be maintained in an efficient state. This was a service which Vane was more competent to render than any other public man of his time. His experience in naval matters, his great industry, and his skill as an administrator qualified him splendidly for his post. Within a very few months after he had first been appointed to it as joint-treasurer, his firm rule was felt, we are told, all through the service.³

¹ *S. P. Dom.*, 9 Dec. 1641.

² *Commons' Journals*, vol. II, p. 179; *Lords' Journals*, vol. V, p. 273.

³ *S. P. Dom.*, 1639, p. 383.

This did not necessarily secure for him the affection of all his subordinates, but it was undoubtedly for the public advantage.

It was at Hull, the town which Vane represented in Parliament, that the first open act of hostility between the King and his subjects took place. On 23 April, 1642, Charles appeared before the town with a body of three hundred horse to take possession of the magazine there, and Sir John Hotham, as an act of fidelity to the Parliament, refused to allow him to enter the town. In July the Parliament ordered an army of ten thousand men to be raised for their defence, and appointed the Earl of Warwick as Admiral of the Fleet, which adhered to them. To the Earl of Essex the land forces were assigned, and the members of both Houses took an oath to live and die with him in defence of the cause which he represented. Charles, in his turn, after summoning all his loyal subjects north of the Trent, and within twenty miles south of it, to come to his aid in the suppression of rebellion, raised the royal standard as a signal of war, at Nottingham, on 22 August of the same year.¹

The first conflict between the two forces was at Powick Bridge, in Worcestershire, in which the Royalist cavalry under Prince Rupert put to flight a body of Parliamentary cavalry. But beyond encouragement to the Royalists by providing them with an omen of success, no result followed from this skirmish.² The first real trial of strength was in the Battle of Edgehill, fought on 23 October. Charles had left Shrewsbury eleven days before with the intention doubtless of making his way to London. At Edgehill, on the south of Warwickshire, and on the borders of Oxfordshire, he was overtaken by Essex. The two lines of battle were drawn up opposite to each other in the same order—cavalry on either wing and infantry in the centre. The Royalist cavalry, on

¹ Clarendon, *Rebellion*, V, 447: Rushworth, *Collections*, part 3, vol. I, p. 783.

² Gardiner, *Fall of the Monarchy of Charles I*, vol. II, p. 485.

charging that of the enemy, routed it and drove it from the field; but on returning from a long pursuit of the flying foe, found that their own infantry had been worsted. And so both sides claimed the victory. The immediate advantage, however, lay on the side of the King, who proceeded in the direction of London, and on 29 October entered Oxford, a city fully devoted to his person and interests.¹

The news concerning the battle which first reached London was that Essex had been heavily defeated. This rumour was followed by another to the effect that he had won a great victory. But the fact that the King had continued his march after the battle towards the capital without interruption told its own tale. Prompt measures were taken to resist attack by the Royal army—forces were levied to defend the city, earthworks were thrown up to command the main approaches to it, and iron chains were hung across the streets. Eight days after the battle Essex, with the remnants of his army, reached London.²

Vane took a prominent part in the task of appealing to the citizens of London to support the Parliamentary cause in this hour of danger. He addressed a crowded meeting of citizens at the Guildhall, as a deputy from the House of Commons, and was zealously supported by them.³ Vane and Milton often come to be associated together in the course of their lives. They both figure in the story of these days of alarm. While Vane harangued the citizens and summoned them to resist the assault of the enemy, Milton wrote the half-serious sonnet in which he entreated the invader to spare a poet's abode, and reminded him of the generosity of Alexander in sparing the house of Pindar when he captured Thebes.

Though the leaders of the Parliamentary party had no intention of abating the demands already made

¹ Rushworth, *Collections*, part 3, vol. II, p. 33: *Old Parl. Hist.*, vol. II, p. 1478.

² Whitelock, *Memorials*, p. 64.

³ Gardiner, *Civil War*, vol. I, p. 63.

upon the King, or of relaxing the military measures of defence which had been set on foot, they were not indisposed to reopen negotiations with the King. It is not surprising, in the circumstances, that these negotiations were futile. To expect a victorious general instantly to cease from acts of war and to omit to secure the points of vantage within his reach, merely because his opponents suggest a cessation of the struggle, is not very reasonable. Charles, at any rate, was evidently of this opinion; for, in spite of the willingness expressed by him to receive commissioners to treat of peace, he pushed on and attacked Brentford, which he took after a very fierce struggle. His conduct exposed him to the charge of breach of faith. The result was that public feeling was keenly aroused against him, and that he was soon confronted by an army of twenty-four thousand men. As this force was about double his own, he thought it better to retire, and accordingly he withdrew to Oxford, where he took up his quarters for the winter.¹

The general plan of campaign adopted by the King, when military operations were resumed, was to utilize his position at Oxford by keeping Essex in check, while his army under Newcastle made its way from the north to the capital, and that under Sir Ralph Hopton in Cornwall came eastward to the same point.² During the few months after the Battle of Edgehill neither party could boast of any continuous success, for, while the royal cause prospered in the West, it was discomfited in the North. Without any cessation of military operations on either side negotiations for peace were carried on, but without any likelihood of success. The terms demanded by the Parliament were such as could only have been accepted by the Sovereign, if he had suffered hopeless defeat in war; and those which he offered could not have commended themselves to his opponents unless their resources had been utterly exhausted and

¹ Gardiner, *Civil War*, vol. I, p. 65.

² *Ibid.*, vol. I, p. 78.

their courage daunted by failure. Charles required the complete restitution of his authority, and the punishment of those who had resisted it, the re-admission to Parliament of all members expelled from it since January, 1642, and the removal of the Houses to some place not less than twenty miles from London, in order to free them from the influence of the city mob. It is not surprising that the Parliament refused to entertain these proposals, even though they were accompanied by an offer to agree to severer legislation against the Roman Catholics.¹

¹ Rushworth, *Collections*, part 3, vol. II, p. 259.

CHAPTER VIII

Dilatory war policy of Essex—Quarrel of Essex and Vane—Serious disasters on the Parliamentary side—Indecisive Battle of Newbury—Parliament resolves to appeal to Scotland for help—Vane sent as a Commissioner—Formation of the Solemn League and Covenant—Vane and Argyll—Clarendon's impeachment of Vane's sincerity—Vane's defence of his conduct—Death of Pym—Vane succeeds him as leader of the House of Commons—Overtures from the King to Vane—Appointment of the Committee of Both Kingdoms.

In the course of these negotiations Vane had been on the side of the "thorough" or war party. The fortune of war having been, on the whole, against the Parliament, any overture from them to the King for cessation of the war discouraged their friends throughout the country and promoted the recruiting on the royal side. "There was at all times," says an acute historical critic, "a more than sufficient desire in all classes of society to reinstate the King in his royal power; and the moment that it appeared likely that a peace would be established which would place him in a position to punish his enemies and reward his friends, all the timid and waverers fell off at once to his side; and the consequence was that the Parliament was reduced to the utmost danger. Their only chance of support and eventual success lay in showing a firm determination not to shrink for an instant from the energetic pursuit of the war until they obtained such conditions of peace as would at once secure them the liberties for which they had

taken up arms, and provide for the safety of those who had come forward to co-operate with them.”¹

Among other circumstances calculated to try the patience of the war party in the Commons was the dilatoriness of Essex. Time after time he had hesitated to take advantage of what had seemed to his colleagues favourable opportunities of assailing the Royal army, and had lain still for prolonged periods while the enemy was manifesting great activity. Of course it is quite possible that the somewhat Fabian policy which commended itself to Essex and to his council of war may have been abundantly justified in view of the quality of the troops which were under his command. But none the less the slowness of his proceedings must have often reduced his employers almost to despair. Such was the case in the course of the summer of 1643. His action on one occasion during this period was so extraordinary as to show to many the necessity for superseding him, in spite of all his faithful services, on the first convenient occasion. He wrote suggesting that terms of peace should again be offered to Charles, and that if they were refused he should be asked to withdraw from the scene of contention, and let the two armies settle the whole dispute in one pitched battle. Both Houses, however, declined to re-open useless negotiations of the kind suggested. In the course of debate Vane could not refrain from saying, with bitter sarcasm, that the purport of the Lord-General's letter was that if they would send propositions of peace to His Majesty, and they did not take effect, that then he would do his duty. As might have been expected, the sneer roused the friends of Essex to demand an apology for the slur cast upon his honour—an apology which Vane made upon the spot. Essex himself, in announcing shortly afterwards a forward movement which he was about to make, expressed a wish that members of the Houses might be present to witness the

¹ Sanford, *Studies and Illustrations of the Great Rebellion*, p. 544.

devotion of the army to the service of the State, and he mentioned Vane as one whose presence he would specially value. "If it may stand with the convenience of the House of Commons," he said, "I shall entreat the favour that Sir Henry Vane the younger may be an eyewitness of our actions, he being an intimate friend of mine, and who, by his constant carriage in the Parliament, which hath gotten him a good reputation in all places, may be a true testimony of our actions, it being of huge advantage to keep a good correspondence betwixt the Parliament and their servants, the army. He is, besides, a man I put so much trust in, as that, if he pleaseth, I shall go hand in hand with him to the walls of Oxford."¹ Sir Henry Vane was not in the House when this letter was read. His father was present and looked very blank, we are told, when the above sarcastic reference was made to his son. The tone of recrimination was somewhat unworthy of both parties in view of the serious interests at stake. One result, at any rate, of the episode was that Essex ever afterwards regarded Vane as an enemy.² Indeed, but for Vane's exceptional prudence, as we shall afterwards tell, the hostility of Essex on a later occasion would have secured his ruin.

In this second year of the war the tide of victory seemed distinctly to set in on the Royalist side. "At the close of May (1643), the outlook of the Parliamentary party was depressing. Devonshire had been overrun in the West, and in the North [the Marquess of] Newcastle was growing in strength. In the valley of the Thames Essex continued inactive, his army wasting away with sickness and desertion."³ And even when the latter was reinforced and began to move, a series of Royalist victories filled the minds of many on the Parliamentary side with deep dismay. On Chalgrove Field, near Oxford, Hampden received his death-wound. At Adwalton Moor New-

¹ Sanford, *Studies and Illustrations of the Great Rebellion*, pp. 570-4.

² Clarendon, *Rebellion*, VIII, 92.

³ Gardiner, *Civil War*, vol. I, p. 168.

castle succeeded in defeating the Fairfaxes, and with the exception of Hull, all Yorkshire was in his hands. While in the West, in the Battle of Roundway Down, the army of Waller was virtually annihilated by that of the Royalists under Hopton. Indeed the fact that the Parliamentary forces managed to retain possession of Hull and of Plymouth, and thus hindered the free advance of the Royalist armies from the North and West, alone saved their cause from utter overthrow. Bristol, second only to London among English ports, was taken by Prince Rupert—a victory for which the success of Essex in relieving Gloucester, and in hindering aid advancing to the King from the west of the Severn was, however, some compensation.¹ Only in the eastern counties, and especially in Lincolnshire, where Cromwell was in command, were matters more encouraging for the Parliamentarians. Immediately on the back of these brilliant Royalist victories came the fiercely contested, but indecisive Battle of Newbury. Essex, on his return to London from Gloucester, was intercepted by the army of Charles. The ammunition became exhausted on the Royalist side, so that the Parliamentary army, to its own surprise, after a stubborn contest, was able to pursue its way to London.² But it became quite evident that with the resources at present at their disposal, the Parliamentary party could not crush the King, and that it was desirable to bring an effective ally into the field. Such they now sought in Scotland, where armed resistance to the authority of Charles had first and successfully been made.

One circumstance which was likely to influence the Scottish people to co-operate with the Parliamentary party was the fact that the latter seemed inclined to follow their lead in assailing Prelacy. The Assembly of Divines, of which Vane was a member, had begun to sit at Westminster (1 July, 1643). This had been called

¹ Gardiner, *Civil War*, vol. I, p. 229.

² Guizot, *English Revolution*, p. 203 (Eng. Trans., Bohn): Whitelock, *Memorials*, p. 73.

by an ordinance of Parliament to deal with many things in the liturgy, discipline and government of the Church of England "requiring further and more perfect reformation." The document, without mentioning Presbyterianism, plainly pointed to it.¹ As, however, clericalism, which in one form was being suppressed, might easily be introduced in another, a strong lay element was added to the Assembly. Indeed, the first nominations of members were those of thirty lay assessors, one of whom was Sir Henry Vane. "There must be some laymen in the synod," said Selden, himself one of the thirty, "just as when the good woman puts a cat into the milk house to kill a mouse, she sends her maid to look after the cat lest the cat should eat up the cream."² This office of supervision Vane doubtless very willingly undertook. His natural temperament and his experience of life amply qualified him for it.

On 7 August, a month before Gloucester was relieved and six weeks before the Battle of Newbury, the English commissioners arrived at Leith to solicit help from Scotland. Sir Henry Vane, whom Baillie describes as "one of the gravest and ablest" of the nation to which he belonged, together with three other members of the House of Commons and two ministers of religion were the commissioners. The Earl of Rutland and Lord Grey of Wark, as members of the House of Lords, had also been appointed and were named in the Commission, but did not go to Scotland.³ Clarendon, after mentioning Vane, says that it was unnecessary to give the names of his colleagues, "since he was all in any business where others were joined with him."⁴ They were, however, by no means the ciphers the prejudiced historian would have us believe them to have been. The other members of the House of Commons

¹ Stoughton, *History of Religion in England*, vol. I, p. 267.

² *Table Talk*, 169.

³ Baillie, *Letters*, vol. II, p. 89; *Old Parl. Hist.*, vol. XII, p. 340; *Lords' Journals*, vol. VI, p. 139.

⁴ *Rebellion*, VII, 265.

were Sir William Armyn, Bart., who represented Grantham, Mr Hatcher and Mr Darley, who represented Stamford and Northallerton respectively.¹ The ministers were Mr Stephen Marshall, the most distinguished of the Presbyterian Divines in England, and his son-in-law, Mr Philip Nye, who claimed more liberty for individual congregations than Presbyterians were willing to allow, and who was reckoned among those to whom the name of Independents began to be given. Owing to the war they had not been able to journey by land to Scotland. Their sea journey from London to Leith occupied no less a time than eighteen days. As Baillie tells us, they were received with every mark of respect; the Lords went down to meet them at the harbour, and then conveyed them up to Edinburgh in a coach.²

Both the General Assembly of the Church of Scotland and the Convention of Estates appointed committees to meet with Vane and his colleagues and to consider their statements and requests. The English commissioners reported that an Assembly of Divines had begun to sit at Westminster to consider the matter of religious reforms, and they asked that commissioners from Scotland should be appointed to co-operate with them. They also asked for material assistance for the Parliamentary party in their present struggle with the Sovereign. Among other documents presented by the commissioners was a letter subscribed by above seventy English Divines. "It supplicated," says Baillie, "in a most deplorable style, help from us in their present most desperate condition." The letter was so "lamentable," the same authority tells us, that when read in the Assembly it drew tears from many.³

¹ Carlyle, *Cromwell*, vol. III, p. 243: list of members of the Long Parliament. Both Sir William Armyn and Darley are given in this list as King's Judges, i.e., they were nominated to this office. Neither of them signed the death warrant of Charles. Probably they did not act as judges. Darley had proposed in the Commons the impeachment of the Queen, 23 May, 1643 (*Commons' Journals*, vol. III, p. 98).

² *Letters*, vol. II, p. 88.

³ *Ibid.*, vol. II, p. 89: *Life of Robert Blair*, pp. 169, 171.

All agreed that it was necessary to take some action in the matter, but many serious debates were held before agreement was reached as to the form which intervention should assume. The first proposal was that a Scottish army should be sent to mediate between King and Parliament, without definitely espousing the cause of the latter. This course, however, was soon shown to be utterly impracticable. The English commissioners desired a civil league, which might be maintained as long as both parties thought it advantageous to have it. The Scottish authorities desired the two nations to be for ever bound together in a religious covenant. All Vane's skill as a debater and a diplomatist was called into requisition to safeguard the interests of the English Church and nation. Virtually the Scots wished Presbyterianism as it existed amongst them to be established in England; while the English commissioners were opposed to the matter of the reformation of religion being taken out of the hands of the Parliament and the Assembly of Divines, and to a servile imitation of the Scottish Church being set up in England.

At last a draught of a League and Covenant was submitted which seemed likely to unite all parties. It found special favour in the eyes of the Scots because, in their phrase,¹ it seemed likely to hinder the door being left open in England to Independency. Vane succeeded in inserting clauses in it which prescribed that reformation of religion in England should be in accordance with the word of God and the example of the best Reformed Churches.² The terms used were such as his Scottish associates could interpret as descriptive of Presbyterianism and yet were vague enough to allow of some measure of liberty in the matter of introducing changes into the Church of England. As thus amended, both parties pledged themselves: "That we shall all and each one of us sincerely, really, and con-

¹ Baillie, *Letters*, vol. II, p. 88.

² Ludlow, *Memoirs*, vol. I, p. 65.

stantly, through the grace of God, endeavour in our several callings and places the preservation of the true Protestant reformed religion in the Church of Scotland, in doctrine, worship, discipline, and government according to the Word of God, and the reformation of religion in the Church of England according to the same Holy Word and the example of the best reformed churches, and as may bring the Churches of God in both nations to the nearest conjunction and uniformity in religion, confession of faith, form of church-government, directory for worship and catechising, that we and our posterity after us, may, as brethren, live in faith and love." The Solemn League and Covenant also provided for the extirpation of Popery and Episcopacy, for the maintenance of the rights and privileges of the two Parliaments, and for the punishment of "incendiaries and malignants," by whom were to be understood all persons hostile to the objects which the contracting parties declared it to be their purpose to promote.¹

Baillie says of this amended declaration: "It was received [by the Assembly] with the greatest applause that ever I saw anything, with so hearty affections, expressed in the tears of pity and joy by very many grave, wise, and old men." With equal cordiality and unanimity it was accepted by the Convention of Estates.² The city of Edinburgh showed its approval of the new order of things by conferring the privileges of citizenship upon Vane and upon his colleague, Stephen Marshall, and by entertaining them at a banquet specially held in their honour.³

The Covenant was then sent up to London, and on 25 September, 1643, it was solemnly sworn to with uplifted hands by the members of the Assembly of Divines, and of the Houses of Parliament, at St Mar-

¹ *Acts of Parl. of Scot.*, vol. VI, p. 42.

² *Letters*, vol. II, p. 90.

³ *Council Records of Edinburgh*, 14 Oct. 1643: quoted in Ireland, *Life of Sir Henry Vane*, p. 212.

garet's, Westminster.¹ Thereafter it was sent down to Scotland, where it was in like manner sworn to by the Committee of the Estates and the Commission of the Assembly, and issued for acceptance by the nation at large. The way was now open for the people of Scotland to enter into active co-operation with the English Parliament. They undertook to supply an army of eighteen thousand infantry, three thousand cavalry, and a train of artillery, and required payment of £30,000 Sterling a month from their English allies. The Earl of Leven, Alexander Leslie, the "old, little, crooked soldier," who had marshalled the Covenanting army at Duns Law, and scattered the English forces at Newburn, was appointed to the chief command, with his nephew, David Leslie, as his lieutenant-general.² What the Scottish people thought of their own proceedings and of the need of the nation to whose relief they were coming, is told us by Baillie. "Surely," he says, "it was a great act of faith in God, and huge courage and unheard of compassion, that moved our nation to hazard their own peace and venture their lives and all, for to save a people so irrecoverably ruined, both in their own, and in all the world's eyes."³ It is to be feared that when the danger passed, gratitude for the help received was neither deep nor lasting.

As Vane afterwards tells us, the Marquess of Argyll was his principal helper on the Scottish side in bringing about the formation of the Solemn League and Covenant. The two distinguished statesmen had much in common with each other. Though both belonged by birth to the aristocratic caste, they took the side of the democracy and contributed largely to its triumph in the conflict with absolute power. Both were more at home in the senate than on the field of war; and both were credited by their opponents with a double portion of

¹ *Old Parl. Hist.*, vol. III, p. 173; Neal, *History of the Puritans*, vol. III, p. 62; Lightfoot, *Works*, vol. XIII, p. 15.

² *Acts of Parl. of Scotland*, vol. VI, p. 47.

³ *Letters*, vol. II, p. 99.

that skill and subtlety which so often form the diplomatist's equipment and his snare. Their intense interest in religion and their personal piety were doubtless the source of the moral strength which gave dignity to their lives and of that self possession which enabled them to despise the world's ingratitude.¹

It is in connexion with the Solemn League and Covenant that a serious charge has been made against the character of Sir Henry Vane. As is well known, the door to Independency in England which the Scots were eager to keep shut was forced open. The settlement effected in the Solemn League and Covenant was overthrown, and the two nations which had formed a bond of fellowship entered into conflict with each other—a conflict in which Scotland suffered disastrously. Clarendon represents the Scots as having been hoodwinked and over-reached, and speaks of Vane as the principal agent in the fraudulent proceeding. "There hath been scarce anything," says that historian, "more wonderful throughout the progress of these distractions, than that this Covenant did with such extraordinary expedition pass the two Houses, when all the leading persons in those councils were at the same time known to be as great enemies to Presbytery (the establishment whereof was the sole end of this Covenant), as they were to the King or the Church. And he who contributed most to it, and who, in truth, was the principal contriver of it, and the man by whom the Committee in Scotland was entirely and stupidly governed, Sir Harry Vane the younger, was not afterwards known to abhor the Covenant and the Presbyterians [more] than he was at that very time known to do, and laughed at them then, as much as ever he did afterwards. He was, indeed, a man of extraordinary parts, a pleasant wit, a great understanding which pierced into and discerned the purposes of other men with wonderful sagacity, whilst he had himself

¹ Willcock, *The Great Marquess*, pp. 335-8.

vultum clausum (an impenetrable countenance) that no man could make a guess of what he intended. He was of a temper not to be moved, and of rare dissimulation, and could comply when it was not seasonable to contradict, without losing ground by the condescension; and if he were not superior to Mr. Hampden, he was inferior to no other man, in all mysterious artifices. There need no more be said of his ability, than that he was chosen to cozen and deceive a whole nation, which excelled in craft and dissembling, which he did with notable pregnancy and dexterity, and prevailed with a people, which could not otherwise be prevailed upon, than by advancing their idol Presbytery, to sacrifice their peace, their interest, and their faith, to the erecting a power and authority that resolved to persecute Presbytery to an extirpation; and very near brought their purpose to pass. . . . Sir Harry Vane, therefore, (who equally hated Episcopacy and Presbytery, save that he wished the one abolished with much impatience, believing it much easier to keep the other from being established, whatever they promised, than to be rid of that which was settled in the kingdom) carefully considered the Covenant, and after he had altered and changed many expressions in it, and made them doubtful enough to bear many interpretations, he and his fellow commissioners signed the whole treaty.”¹

We have no intention of traversing Clarendon's estimate of Vane's character merely because he paints it in darker colours than we would choose. There is no doubt that Vane possessed special qualifications as a diplomatist, among which an inexpressive countenance may be at times of great service. The question is, rather, was he guilty of fraud in these negotiations with the Scottish authorities? We deny that he was. That Clarendon displays some of the spurious wisdom which comes after the event is quite evident. The words we have

¹ *Rebellion*, VII, 266, 267, 274.

quoted were written years after the bond in question between Scotland and England had been formed and dissolved. It serves Clarendon's purpose to maintain that the Parliamentary party in England was at the time virtually at the mercy of Scotland, and obliged to accept any terms that might be enforced, and that the only way to save the situation was to introduce such ambiguous terms into the contract as might afterwards be made a ground for departing from it. As a matter of fact, however, though the Parliamentary party in England was undoubtedly in a dangerous situation, the dominant party in Scotland had a sword hanging over its head also. Charles had already begun to stir up a Royalist reaction in that country, and Montrose was eager to promote the movement.¹ The danger in which the popular party in Scotland were placed was not acute enough to cause a panic, but for all that it was known to exist. Had the Parliamentary cause in England been overthrown it is quite certain that some attempt would have been made to reconquer Scotland, over which Charles's present authority was largely nominal.

The idea of the Scottish committees having been outwitted by Vane is, indeed, quite groundless. As Professor Firth remarks, "they accepted his amendment, 'according to the word of God,' because they hoped to interpret it according to their own wishes, through the political and military influence the alliance gave them."² The general tone of mind of the Scottish commissioners may be learned from the letters of Baillie, who was a representative of Scotland in the Westminster Assembly of Divines. He repeatedly speaks of the additional strength which would be imparted to the cause in which he was interested if the Scottish army in England were only more successful than it was. "The advance of our army," he says, on one occasion, "would much assist

¹ Gardiner, *Civil War*, vol. I, p. 146.

² D. N. B. "Vane."

our arguments.”¹ On another occasion he speaks of the breath of their army blowing upon them some more strength and favour, and giving the Presbyterian party greater influence in the counsels of the English authorities.² The fact is that the Scots did not gain from the alliance with England the preponderating influence which they expected to have. This, and not the supposed cunning of Vane, explains the defeat of their expectations with regard to ecclesiastical matters.

The English commissioners to Scotland were, therefore, in the position of demanding, as well as of granting, concessions in the mutual arrangements now being made, and were not simply obliged either to accept hard terms or to abandon their enterprise. From the first they openly refused to pledge themselves to set up an ecclesiastical system in England exactly similar to that in Scotland. This was made perfectly plain by Vane’s modification of the original terms of the League and Covenant, when he stipulated that the ecclesiastical changes in England were to be “according to the Word of God and the example of the best Reformed Churches.” It was also distinctly asserted on the occasion when the Covenant was accepted by the Houses of Parliament and the Assembly of Divines at Westminster. On that day when these representatives of the English nation swore to the agreement with Scotland in St Margaret’s Church, Philip Nye was the preacher, and in the course of his sermon he made it clear that they were not pledging themselves to any servile imitation of the Church of Scotland. “If England,” he said, “have attained to any greater perfection in so handling the Word of righteousness and truths that are according to godliness, so as to make men more godly, more righteous; and if in the Churches of Scotland any more light and beauty in matters of order and discipline by which their assemblies are more orderly; or if to any other Church or

¹ Gardiner, *Civil War*, vol. II, p. 111.

² *Ibid.*, vol. II, pp. 122, 325; see also vol. II, p. 104.

person it hath been given better to have learned Christ in any of His ways than any of us, we shall humbly bow and kiss their lips that can speak right words unto us in this matter, and help us unto the nearest uniformity with the Word and mind of Christ in this great work of reformation.”¹

The two nations afterwards drifted far apart and war sprang up between them. It is, however, absurd to ascribe to one man the blame involved in any breach of contract between them. Vane's own opinion as to the merits of Episcopacy and Presbytery, whatever it may have been, is not to the point in view of the fact that neither system was formally presented for acceptance in the Solemn League and Covenant. His vindication of his conduct in connexion with this whole matter is ample and convincing. In his “Reasons for an Arrest of Judgement,” drawn up by him after his condemnation in 1662, he says: “I will not deny but that as to the manner of prosecution of the Covenant to other ends than itself warrants, and with a rigid, oppressive spirit, to bring all dissenting minds and tender consciences under one uniformity of church discipline and government, it was utterly against my judgement. For I always esteemed it more agreeable to the Word of God that the ends and work declared in the Covenant should be promoted in a spirit of love and forbearance to differing judgements and consciences, that thereby we might be approving ourselves ‘in doing that to others which we desire they would do to us’; and so, though upon different principles, be found joint and faithful advancers of the reformation contained in the Covenant, both public and personal.”² While in the last words which he wrote he made an affecting reference to his friendship with the Marquess of Argyll, who had been executed a year before, and to the Solemn League and Covenant which had been framed by their joint endeavours. “For my life, estate,

¹ Quoted by Gardiner, *Civil War*, vol. I, p. 276.

² *Trial of Sir Henry Vane* (1662), p. 61.

and all," he said, "is not so dear to me as my service to God, to His cause, to the Kingdom of Christ, and the future welfare of my country; and I am taught according to the example, as well as that most Christian saying of a noble person that lately died after this public manner in Scotland—'how much better it is to choose affliction and the Cross, than to sin or draw back from the service of the living God, into the ways of apostasy and perdition.' That noble person, whose memory I honour, was with myself at the beginning and making of the Solemn League and Covenant, the matter of which and the holy ends therein contained I fully assent unto, and have been as desirous to observe; but the rigid way of prosecuting it, and the oppressive uniformity that hath been endeavoured by it, I never approved. This were sufficient to vindicate me from the false aspersions and calumnies which have been laid upon me, of Jesuitism and Popery, and almost what not, to make my name of ill savour with good men; which dark mists do now dispel of themselves, or at least ought, and need no pains of mine in making an apology." And then he added with a dignity and pride which give to his words astonishing force: "For if any man seek a proof of Christ in me, let him read it in this action of my death, which will not cease to speak when I am gone. And henceforth let no man trouble me, for I bear in my body the marks of the Lord Jesus."¹

It was on 8 December, 1643, that Pym died, "sleeping quietly away while a reverend minister was at prayer with him." The description of his closing hours given in the funeral sermon on him by Stephen Marshall suggests the spirit of his whole life. "He showed," says the preacher, "the same evenness of spirit which he had in the time of his health; professing to myself that it was to him a most indifferent thing to live or die: if he lived, he would do what service he could; if

¹ *Trial of Sir Henry Vane* (1662), p. 91. These words are in the written speech which Vane left with a friend before he went to the scaffold, and which he was not allowed to give there. See App. 5.

he died, he should go to that God whom he had served, and who would carry on His work by some others;—and to others he said, that if his life and death were put into a balance, he would not willingly cast in one dram to turn the balance either way. This was his temper all the time of his sickness.” At Oxford the news of his death was received with joy which found expression in lighting bonfires and in drinking confusion to the Roundheads. In striking contrast with such base triumph are the words of Marshall in the same funeral sermon, in which he forecasts the future of the cause which Pym had served. “I beseech you,” he said, addressing the assembled Houses in Westminster Abbey, “let not any of you have one sad thought touching him; nor, secondly, would I have you mourn out of any such apprehension as the enemies have, and for which they rejoice, as if our cause were not good, or we should lose it for want of hands to carry it on. No, beloved, this cause must prosper; and although we were all dead, our armies overthrown, and even our Parliaments dissolved, this cause must prevail.”¹

To the vacant leadership of the Parliamentary party Vane now succeeded, and for two years from this time he occupied a position of extraordinary influence. As Baxter says: “He was that *within* the House which Cromwell was *without*.”² His power diminished as the Presbyterian party gained the upper hand in the Long Parliament. The leadership of Vane was, indeed, in its spirit and methods very different from that of Pym. Pym had exercised influence rather than control, and had managed by tact and concession and compromise to keep his party together and to use them for advancing what he regarded as the public good. His resistance to the arbitrary power of Charles, and to the innovations of Laud naturally led him to assert the authority of Parliament in defence of the rights of the people. If

¹ Forster, *Life of Pym*, p. 296n.

² *Reliquiæ Baxterianæ*, part I, p. 75.

Vane's respect for Parliament was less than Pym's had been, it is only fair to him to keep in mind the fact that the actual Houses of Parliament when he succeeded to the leadership were in a shattered condition. Most of the peers were on the side of Charles, and when, a few weeks after Pym's death, the King called a rival Parliament to meet at Oxford the majority of the House of Lords and about a third of those who had been duly elected members of the House of Commons obeyed his summons. If, then, Vane showed a disposition to deal in a somewhat high-handed manner with Parliament his action is largely to be explained by the circumstances in which he was placed.

For though he had statesmanlike views with regard to questions of government, of relations of Church and State, of the ground on which kingly authority rests, and of civil and religious liberty—views far in advance of those of multitudes of his time and of our own—he was so little of an opportunist and so much of a theorist that it was with some difficulty that he maintained his position in public life. As we have said, he often found himself not merely in a minority but in isolation. Indeed, had there not been combined with his visionary temperament an eager interest in the actual transaction of public affairs and splendid gifts as an administrator, he would soon have gone down in the press and turmoil in which so much of his life was passed. Time after time he had to struggle to maintain his position as well as to educate public opinion, and if in doing so he occasionally manifested something of the wiliness of the politician the fact does not necessarily involve discredit. In a well-known passage of Holy Scripture the wisdom of serpents is commended as well as the harmlessness of doves.

Some of this wisdom he showed in a correspondence with Charles I, which sprang up early in 1644. Vane was well known to approve of toleration, and it now suited Charles's purpose to avail himself of that principle,

not only as strengthening the refusal of the Episcopalian party to consent to ecclesiastical changes and as paving the way for toleration of Roman Catholicism, but also as a means for dividing the ranks of his opponents. He accordingly, through Lord Lovelace, opened negotiations with Vane and asked him to fix a time and place for conference "for the public good," and to send some trusty agent to manage the business. Vane was not deceived by this sudden eagerness for toleration on the part of one who had in the days of his power been such a bitter enemy of it, but in order to discover something more of the enemy's plans he dispatched an agent, a Mr Wale, to Reading to meet with Lovelace. Before doing so, however, he laid the whole matter before the Speaker of the Commons, a Committee of the House, and the Scottish commissioners, and they all approved of his scheme. Lovelace offered in the King's name to agree to everything Vane might demand for himself and for his party with a view to their making their peace at Oxford; but, as might have been expected, though various letters passed between the parties, the negotiations came to nothing. Vane himself was at the time in ill odour with the Lords for objecting to the Earl of Holland's being received back to his place without any expression of regret on his part, after having gone over to the King and come back again. It was, therefore, welcome news to his enemies in the Lords to hear that he himself had been negotiating with the King, and the Earl of Essex had the pleasure of proposing to charge him with high treason. When the matter was explained Vane was triumphantly acquitted of blame, and the incident closed somewhat ludicrously by a vote of thanks from the Lords to Essex for his diligence and zeal.¹

One of Vane's first acts was to organize a Committee of both Kingdoms—a body which ultimately took much

¹ Baillie, *Letters*, vol. II p. 135: *Camden Miscellany*, vol. VIII: Whitelock, *Memorials*, p. 80.

of the power out of the hands of the Parliament. How this change was accomplished is interesting to tell. There had been since the troubles began a Committee of Safety, which simply conveyed information to Parliament and received instructions from it. But when the Solemn League and Covenant was formed with Scotland it became necessary to call into existence a new committee of which Scottish representatives might be members. Accordingly Vane assisted by Oliver St John, the Solicitor-General, drew up an ordinance to appoint a permanent committee, to consist of seven peers and fourteen commoners along with the Scottish commissioners, "for the better managing the affairs of both nations in the common cause." This was introduced into the House of Lords first and was passed by them, evidently without their realizing the significance of their action.¹ Indeed they fully empowered the new committee "to order and direct whatsoever doth or may concern the managing of the war . . . and whatsoever may concern the peace of His Majesty's dominions."² This ordinance excited considerable opposition in the Commons, on the ground that it had originated in the Lords, and that it seemed likely to set up an executive Government independent of the authority of Parliament. It was accordingly set aside and a new ordinance was prepared in its place. In this the names of the members of the committee were entered. It was also decided that Parliament must direct matters in case of any treaty with the Scots or of any treaty with the King for a cessation of arms or for peace. But the committee received power to negotiate with foreign States, and "to advise, consult, order and direct concerning the carrying on and managing of the war." The Lords now realized the extent to which their power would be crippled by the ordinance, and struggled desperately against it. But in the end they accepted it, and the committee was

¹ Baillie, *Letters*, vol. II, p. 141.

² *Lords' Journals*, vol. VI, p. 405; *Commons' Journals*, vol. III, pp. 384, 504.

appointed for the limited period of three months.¹ When this time had almost elapsed the Commons proposed to renew the powers of the committee while the Lords sought to restrict them. A deadlock ensued, which was finally solved in the most surprising way. The ordinance was allowed to lapse, and in place of it the original ordinance which had been sent down by the Lords, and which had not been rejected but had been laid aside, was now brought out and passed by the Commons. As the Lords had sent it down they were of course not asked to vote upon it again; and so the Committee of Both Kingdoms was reappointed with virtually the same powers which it had previously possessed.² The Lords must have felt that they had been entrapped and were helpless. There is no evidence that the astute device was Vane's own invention, though of course as he was leader of the House of Commons the full responsibility of putting it in operation rested upon him. It was certainly not a mode of procedure which one could associate with the leadership of Pym.

As Dr Gardiner remarks, the ordinance by which the Committee of Both Kingdoms was appointed "is important as containing not only the first germ of a political union between England and Scotland, but also the first germ of the modern Cabinet system."³ Its special interest to us here is that it was an instrument of vast power in the hand of the war party, and largely contributed to its success in the struggle with Charles I.

¹ *Lords' Journals*, vol. VI, pp. 418-30.

² *Commons' Journals*, vol. III, p. 503; *Lords' Journals*, vol. VI, p. 564.

³ *Civil War*, vol. I, p. 360

CHAPTER IX

The Scotch Covenanting army enters England—Vane sent by Parliament to the army at York—Proposal to depose Charles—The Elector Palatine suggested as his successor—Vane visits Argyll in Edinburgh—Battle of Marston Moor—"Accommodation Order" passed by Commons—Vane's struggles on behalf of toleration—Roger Williams's exertions on behalf of it—Essex's defeat in Cornwall—Disension between Presbyterian and Independent parties.

It was not until January, 1644, that the Scottish troops were ready to march to the assistance of the forces of the English Parliament. As we have said, the Earl of Leven was appointed commander-in-chief of the Scottish contingent, with his nephew, David Leslie, as his lieutenant-general. The Marquess of Argyll commanded a portion of the cavalry, and had as a colleague the Sir William Armyne, who had been a commissioner to the General Assembly at Edinburgh along with Sir Henry Vane.¹ The main body of the Scotch army crossed the Tweed at Berwick on 19 January, when the ice was so thick upon the river as to allow a passage over for their heavy baggage. Their first task was to attempt to drive the Royalist forces out of the North of England, and it was confidently expected that they would in a short time take possession of Newcastle and put an end to the coal famine which had been keenly felt in London. The Royalist general, with about four or five thousand men, was stationed at Alnwick, and on 20 January he

¹ See account of this campaign in Willcock, *The Great Marquess*, chap. X.

received from Argyll and his colleague by a trumpeter a copy of the Solemn League and Covenant and a statement of the reasons of this present invasion. On consulting with the gentlemen of the county as to the course to be followed he came to the conclusion that resistance at that point was hopeless; and, after destroying the bridge across the river on which Alnwick is situated, he fell back upon Newcastle.¹

Before the invading troops, however, reached Newcastle, on 3 February, the Marquess of Newcastle had entered the town with a considerable body of soldiers. The Earl of Leven soon discovered that he would not be able to repeat the easy victory he had won on the occasion of his last attack upon the town. The ford at Newburn was strongly fortified, and the south side of Newcastle, which had formerly been its vulnerable part, was now thoroughly strengthened against assault. It was found that a regular siege would be necessary. The Earl of Leven being indisposed to lock up the whole of the Scottish army, from which so much was expected, in that task, left part of his forces to conduct the siege, and marched south into Durham, crossing the Tyne near Hexham by fords which the enemy had found it impossible to defend. On 4 March he entered Sunderland without opposition. The Marquess of Newcastle was now strengthened by joining with the troops in Durham, and by the accession of a large force from Yorkshire under Sir Charles Lucas, so that he was able to approach within three miles of Sunderland with 10,000 horse and foot. But after the two armies had been drawn up face to face for a day's time the English commander fell back upon the city of Durham. A great snowstorm hindered their opponents from molesting them in their retreat. Leven now resolved to withdraw his army to the country between the Tyne and the Wear and to assail the positions which guarded the mouth

¹ Terry, *Life and Campaigns of Alexander Leslie*, p. 183.

of the Tyne, and thus aid in the isolation of the town of Newcastle, which he had begun to besiege. The Marquess of Newcastle was, however, soon threatened in his rear by the advance of the Fairfaxes. He withdrew from Durham and entered York with 5,000 cavalry and 6,000 infantry. The Scotch army pressed closely upon his retreat, and joining with the Fairfaxes began the siege of York. The cause of Charles in the North was now in gravest peril; nothing, indeed, could save it from ruin unless he could send troops sufficient to raise the siege.¹

Prince Rupert undertook the task of raising the siege of York. He set out from Oxford on 5 May, but it was not until July had come in that he succeeded in reaching the city. With the view of obtaining recruits he made his way into Lancashire, where his course was more marked even than usual by fierce conflict and bloodshed. Stockport was plundered, Bolton stormed, the siege of Lathom House raised, and Liverpool taken. With the defeat of the Parliamentary forces there and the restoration of the authority of the Earl of Derby abundant recruits poured in, so that in the last days of June he crossed the hills from Lancashire into Yorkshire with an army of 20,000 men. In the meantime the Committee of Both Kingdoms, alarmed by his victorious progress, sent Vane to the camp before York to urge the generals to dispatch the Earl of Manchester and Fairfax to deal with him. The generals, however, refused to entertain the proposal. They determined to await Rupert's arrival, should York not be in their hands before that event—a decision in which Vane himself fully acquiesced after consultation with them.²

It seems very strange at first sight that a civilian like Vane and a man of his prominence should have been sent on a mission of this kind. A soldier competent to discuss military plans or even an ordinary messenger might have been entrusted with the duty. It is, how-

¹ Gardiner, *Civil War*, vol. I, p. 396.

² *Ibid.*, vol. I, pp. 427–31: Carlyle, *Cromwell*, vol. I, p. 165.

ever, perfectly certain that the object of his journey was to broach to the commanders of the principal army at the disposal of the Parliament the question of the deposition of Charles I.¹ A certain section of the parliamentary party, with Vane as its leader, was now firmly convinced that it was absolutely hopeless to expect any satisfactory settlement of matters if he remained upon the throne. They were inclined to the plan of deposing Charles and of choosing a successor. This was the course ultimately adopted by the nation when the patience of all had been worn out by the misgovernment of the Stewarts: James II, who had then left the kingdom, was declared to have forfeited his crown, and his son-in-law, William, Prince of Orange, was called to reign in his stead. But at this early period in the struggle between King and people it seemed too revolutionary a proceeding, and the suggestion to adopt it found favour with very few. Yet from time to time the idea must have occurred to many that the adoption of some such plan was almost inevitable. The first to broach it openly was no other than Sir Henry Vane the elder. On the day of the attempted arrest of the Five Members he not obscurely hinted at it.² The matter came up again in a somewhat unexpected way in the March of 1644. The so-called Parliament at Oxford had passed a declaration to the effect that the Lords and Commons at Westminster were guilty of treason in raising armies, in inviting the Scots to invade England, and in various other ways. In reply to this a motion was unanimously passed in both Houses to the effect that the King should be summoned to join with his Parliament by a certain date, with the intimation that in case of his refusing to do so they would be obliged to provide for the safety of the kingdom. As the King was still in theory the fountain of law and order, though misled by evil counsellors, to refuse to acknowledge him

¹ See reports of Venetian and French ambassadors quoted in Gardiner's *Civil War*, vol. I, p. 432n.

² Forster, *Arrest of the Five Members*, p. 243.

after a certain date was virtually to depose him. The significance of this decision was not, however, immediately perceived. It was pointed out by the Scots commissioners. They affirmed that they had no instructions to go so far as this, and that in any case the matter was too serious to be settled in such an off-hand manner. Though at first their attitude was resented as being somewhat disloyal to the League and Covenant, in a very few days public opinion came round to their side, and the reply to the Oxford declaration was framed in other terms.¹

Still the idea was not altogether set aside, and matters went so far that names were suggested of possible candidates for the throne. Both the Prince of Wales, afterwards Charles II, and Charles Lewis, the Elector Palatine, were mentioned in this connexion. The latter was the eldest son of Frederick, the Elector Palatine, and Elizabeth, daughter of James I. His brothers Rupert and Maurice were, as is well-known, prominent on the King's side. So far as the Prince of Wales was concerned, the scheme was dreaded by his father from the first: and the latter took special pains from time to time to prevent his falling into the power of the enemy.² But though his name was frequently brought up in connexion with a proposal of this kind, there is no evidence that it was ever directly broached to him, or that he ever expressed himself as in any way favourable to it. In the case of the Elector Palatine, on the contrary, it is as certain as any matter can be for which there is not direct proof that overtures were at this time made to him, with a view to his being nominated to supersede his uncle, and that he was willing to accept the proposal. He was the next heir to the throne if Charles and his family were set aside, and owing to the misfortunes of his father he was regarded with a considerable measure of sympathy and interest by the majority of the Protestants of Europe. He had been kindly received at the

¹ Baillie, *Letters*, vol. II, p. 180.

² Clarendon, *Life*, p. 944 (ed. 1843).

Court of his uncle, Charles I, when he visited England before the present troubles began, and had received a pension, somewhat irregularly paid, of £12,000 Sterling a year. When the King left London for York the Elector Palatine accompanied him; but before the breaking out of hostilities he suddenly left the Court, without any explanation, and returned in some chance vessel to Holland. It was generally supposed that he desired to separate his interests from those of Charles and to stand well with the Parliament.¹

The Venetian ambassador, from whose reports to his Government information concerning this episode is drawn, says that Vane's mission north was to persuade the generals of the army at York to agree to the deposition of the King, as a matter desired and hoped for by the majority of the nation, and to his being either detained in prison or banished from the kingdom. He also tells us that the generals in question, and the Scotch commissioners there utterly refused to countenance such a scheme—the latter declaring that they had no power by their commission to deal with such a great and burning question. We are also informed on the same authority that Vane went on from York into Scotland with the greatest secrecy to consult parties there, and to endeavour, if possible, to get a more favourable answer.² There is no inherent improbability in the story, and the fact that the Marquess of Argyll still enjoyed the exercise of absolute power in the politics of Scotland—a power soon to be weakened if not, indeed, shattered by the victories of Montrose—makes it certain that the motive of his journey was to confer with the Covenanting leader.

The Marquess of Argyll had been recalled from the army in England by a Royalist outbreak in the north of Scotland. Of this his brother-in-law, the Marquess

Clarendon, *Rebellion*, VII, 414: Forster, *Lives of British Statesmen*, vol. VI, p. 78: Whitelock, *Memorials*, vol. I, p. 251.

² Gardiner, *Civil War*, vol. I, p. 432n.

of Huntley was the moving spirit. The latter had been instigated by the King, who promised aid in the hope of setting on foot such a serious rebellion against the usurped power of the Estates, who were now making war on him, that they would be forced to withdraw their army in England to defend themselves at home. Other parts of the scheme were an expedition into Scotland under the Marquess of Montrose, and an invasion of the western Highlands by an Irish army. Montrose attempted to carry out his part of the scheme. He crossed the Border with a small force of horse and foot and occupied Dumfries; but on finding that no support was given to him locally, and that effective resistance would be offered him, he retired hastily to England.¹ A delay that occurred in dispatching the Irish soldiers gave the crowning blow to Huntley's plans, and he was left alone to bear the brunt of the failure of the undertaking on which he had entered with great confidence of success. Abundant military force was at the disposal of Argyll, while Huntley saw his supporters rapidly melting away. Huntley gave up the contest and escaped by sea to Sutherland, where he remained "sore against his will" for the next eighteen months. The army of the Estates plundered the districts in Aberdeenshire and Banffshire, where the insurrection had found adherents, and Argyll took steps to prevent any second attempt of the kind being made.² Vane found him in Edinburgh, flushed with this military success and little dreaming of the appalling disasters that were so soon to fall upon his clan and upon the cause he loved. For within two months Montrose began that meteoric career of brilliant conquest which astounded the world, and the marvel of which has never faded from the minds of men.

One cannot help being fascinated by the personality of these two men, Vane and Argyll, who were so like each other in their love of power, their daring spirit,

¹ Gardiner, *Civil War*, vol. I, p. 395.

² Willcock, *The Great Marquess*, pp 158-61.

their subtle policy, and their religious enthusiasm. The secret journey of Vane to Scotland and his conferences with leaders there on matters of such high political moment are very picturesque. It gives us a vivid idea of his striking ability and weight of character that at such a comparatively youthful age—for he was just thirty-one years old—he should thus have come into the very forefront of national life and be dealing with schemes of such immense importance, not so much as the leader of a party, but rather as being in himself a great political force.

Though there is not direct evidence that Vane and his associates made a formal proposal to the Elector Palatine to fill the vacancy which the deposition of Charles would create, the conduct of both parties is only explicable on the theory that some such proposal was made. Some three months later the Elector was so foolish as to come over uninvited to London, on the plea of endeavouring to obtain help in recovering the Palatinate. He was received with a measure of outward respect. He was lodged in Whitehall and steps were taken to provide for the payment of the pension which had been settled upon him. But he soon learned that his visit was unwelcome. The whole city was excited by the news of his arrival, which virtually betrayed the plot to which he had been a party.¹ Vane and St John were furious at his procedure, and through their influence a message was sent to him from the Houses that the shorter his stay in England the better it would be for his interests. He, however, persisted in remaining in London in spite of this plain hint that his presence was unacceptable.² As a mark of his political sympathies he openly took the Covenant and frequented the meetings of the Assembly

¹ Heylin in his *Life of Laud* tells us that the Puritan party stood aloof from the rejoicings connected with the birth of Charles I's children, on the ground that there were Protestant heirs to the throne in the family of the Queen of Bohemia, and that there was no knowing what religion his children would follow with a mother so devoted to the Church of Rome (p. 209).

² Gardiner, *Civil War*, vol. I, p. 480.

of Divines, of which he had been appointed a lay member.¹ One is not surprised to find Vane reported shortly afterwards as being of the opinion that the Prince of Wales was the person to whom the crown should be transferred.²

Vane's scheme missed fire, and the divergence in principles and policy between different sections of the Parliamentary party was intensified and made more manifest by this and other incidents. The original peace and war factions had been modified by the introduction of religious questions through the formation of the Solemn League and Covenant, and were now known as Presbyterians and Independents. The divergence of these two parties from each other, which ultimately ended in hostility between them, first made its appearance in the conference at York. So notorious was the fact of disagreement that the Marquess of Newcastle, the Royalist General, told Prince Rupert, on the latter's arrival at York, that the Parliamentary Generals were on bad terms with each other, and that their army would soon break up.³

Yet the prediction was not fulfilled. Rupert succeeded in baffling the attempts of his opponents to hinder his entering York, and he raised the siege of that city. The Parliamentary army on his arrival drew off to Marston Moor, some seven miles away, to avoid being caught between the forces in the city and those which had come to their relief.⁴ And here on 2 July, 1644, was fought the fiercest and most bloody battle of the Civil War in England, with the result that the Parliamentary victory was decisive. Four thousand Royalists were slain, York was taken, and the whole north of England was at the feet of the conquerors. The Marquess of Newcastle escaped to the Continent, leaving Rupert to collect the scattered remains of the Royalist cavalry in the hope of

¹ Lightfoot, *Works*, vol. XIII, pp. 322, 323, 325: Clarendon, *Rebellion*, VII, 414.

² Gardiner, *Civil War*, vol. I, p. 369n (ed. 1893).

³ Sanford, *Studies and Illustrations of the Great Rebellion*, p. 591.

⁴ Whitelock, *Memorials*, p. 92.

retrieving the great disaster, if possible, on some other field.¹

During the time when these events were being transacted Vane had been striving against religious intolerance—a spiritual contest in which, however, the victorious sword of Cromwell had no small share in winning the victory for the cause of toleration. The very terms under which the aid of the Scotch troops had been secured for the Parliamentary party had pledged the latter to something like the establishment of Presbyterianism in England. That through Vane's diplomacy the terms were less rigid than they otherwise would have been, and the way had been laid open for some modification of that system, has already been related. It now remained for him to endeavour to secure a due measure of that religious toleration for which so much, in his own personal experience, had prepared him to be the advocate.

The first formal step taken in the matter was what was called an "Accommodation Order," passed by the House of Commons for the relief of those who might in religious matters be in a minority. This was zealously promoted by Cromwell, Vane, and St John, and ran as follows: "That the Committee of Lords and Commons appointed to treat with the Commissioners of Scotland and the Committee of the Assembly [of Divines] do take into consideration the differences in opinion of the members of the Assembly in point of church-government, and to endeavour a union, if it be possible; and, in case that cannot be done, to endeavour the finding out some way, how far tender consciences, who cannot in all things submit to the common rule which shall be established, may be borne with according to the Word, and, as may stand with the public peace, that so the proceedings of the Assembly may not be so much retarded."²

¹ *Lives of the Duke and Duchess of Newcastle*, p. 78: Rushworth, *Collections*, part 3, vol. II, p. 632.

² *Commons' Journals*, vol. III, p. 626.

The Accommodation Order was passed unanimously by the House of Commons, but no immediate action was taken to carry it into effect. It gave, however, the Assembly of Divines a hint of the views and claims of the Independents, now likely to influence public opinion so deeply if not, indeed, to control it absolutely. The resentment provoked by it in the minds of the majority of the Assembly is reflected in the words of Baillie in a letter to his friend, Mr David Dickson, professor of Divinity in Glasgow University. "While Cromwell is here," he says, "the House of Commons, without the least advertisement to any of us, or of the Assemblie, passes an order, that the grand committee of both Houses, Assemblie, and us, shall consider of the means to unite us and the Independents; or, if that be found impossible, to see how they may be tollerated. This has much affected us. These men have retarded the Assemblie these long twelve moneths. This is the fruit of their disservice, to obtaine really an Act of Parliament for their tolleration, before we have gotten anything for Presbytrie either in Assemblie or Parliament. Our greatest friends, Sir Henry Vane, and the Solicitor [General], are the main procurers of all this; and that without any regard to us, who have saved their nation, and brought these two persons to the height of the power now they enjoy, and use to our prejudice. . . . The great shott of Cromwell and Vane is to have a libertie for all religions, without any exceptions. Many a tyme we are put to great trouble of mind; wee must make the best of an ill game we can. . . . God help us! If God be pleased to settle Scotland, and give us Newcastle, all will go well."¹

In another letter written shortly after that from which we have just quoted, he classes the action of Vane, "our most intime friend," in joining with a new faction to procure liberty for sects, along with a series of disasters

¹ *Letters*, vol. II, p. 230. This letter is dated 16 Sept. 1644. Newcastle was taken a month later (19 Oct.).

that had recently happened—Montrose's victories at Perth and Aberdeen, the prolongation of the siege of Newcastle, and the scattering of the army of Essex in the West. "These," he says, "and sundry other misaccidents did much afflict us for a fourtnight. At that time we endeavoured to live by faith: but the goodness of our God hes allready begun to illighten our darkness. . . . We have strange rugging with the Independents. . . . At first the motion [the Accommodation Order] did much perplex us; but after some debates upon it, we are now hopefull to make vantage of it for the truth, against the errors of that very wilful and obstinate party."¹

Baillie gives a further description of the relations of Vane with the Scottish Commissioners, and shows the former as going far beyond the Accommodation Order in his zeal for religious liberty. He desired this boon not only for those who had differences of opinion with regard to church-government, but also for every type of religionist. Creed-subscription and the assumption by ministers of religion of anything like priestly power found in him a stalwart opponent. To the horrified Baillie who had once spoken of Vane as "a very gracious youth,"² the latter now apparently seemed like an emissary from the Evil One for the suppression of whom Divine help was needed; especially when to his religious heresies he added the opinion that the Scottish allies were doing less in military matters than they were paid for doing. "Sir Henry Vane," he says, "whom we trusted most, had given us many signs of his alteratione; twice at our table prolixlie, earnestlie, and passionatelie had reasoned for a full libertie of conscience to all religions, without any exceptions; had publicklie in the House opposed the clause in ordinatione that required ministers to subscribe the Covenant, and that which did intimate their being over their flocks in the Lord; had moved the mustering of our armie, as being farr

¹ Baillie, *Letters*, vol. II, pp. 231, 232.

² *Ibid.*, vol. I, p. 345.

less than we were payed for; had been offended with the Solicitor [General] for putting in the ordinance the differences about church-government; and not only about free grace, intruding libertie to the Antinomians, and to all sects, he without the least occasion on our side, did openly oppose us. Allwayes God hes helped us against him and them all egregiously to this day.”¹

In face of this intense opposition to the idea of toleration it is very interesting to hear of Vane thus endeavouring by reasoning and persuasion to carry his point. He was not content with securing a tactical advantage over his opponents by carrying through the House of Commons the Accommodation Order, but sought to convince them of the reasonableness and justice of his proposals. This at once distinguishes him from the ordinary leader of a party, who very often is dragged along and pushed forward by those whom he calls his followers, and is careful not to commit himself to a policy until he is convinced that it is likely to be successful. We suppose that “the cultus of the jumping cat”² has had its adherents from the time when political parties first were formed. It was Vane’s distinction, and the secret of his failure as a leader, that he was more intent on gaining the victory for truth than for a party.

It must not be thought that Vane’s words in arguing for toleration were found unacceptable in every quarter. We have heard how Baillie, the representative of the Presbyterian party, regarded them. But they were warmly received by two sections of English society—that of those who really welcomed the idea of religious toleration, and that of those who recognized in it a principle of which they might make political capital. A representative of the former of these was the Roger Williams of whom we have heard before as a pioneer of the cause Vane was now advocating, and as a helper of the latter in dealing with American Indians in the

¹ *Letters*, vol. II, pp. 235, 237.

² R. Bosworth Smith, *National Review*, March, 1886.

time of his Governorship of Massachusetts. Williams had now come to England to obtain, if possible, a charter for the Providence Plantation—an object which Vane's influence with the commissioners over the colonies enabled him to secure for his friend. It was in the course of a running controversy between Williams and the Rev. John Cotton, of Boston, his principal antagonist, that reference was made to Vane's advocacy of toleration; and it is worth while to direct our readers' attention to this fugitive literature, as it plays a very prominent part in the evolution of religious liberty. Cotton wrote a letter to Williams justifying the action of the State in banishing him from its borders on the ground of his holding corrupt doctrines, and this letter was published in London in the autumn of 1643, as a quarto pamphlet of thirteen pages. Williams replied to it, and charged Cotton with holding a "body-killing, soule-killing, and state-killing doctrine of not permitting, but persecuting all other consciences and wayes of worship but his own in the civill State, and so consequently in the whole world if the power or Empire thereof were in his hand."¹ Out of his personal experience he learned the great lesson which, indeed, is too advanced for many of us, that the civil magistrate is an intruder into a region where he has no authority when he interferes with matters of worship and conscience. "Spiritual offences," he taught, "are only liable to a spiritual censure." No words, indeed, could more clearly and definitely mark the boundary between the two spheres than the following, which occur in the same pamphlet: "We acknowledge the ordinance of Magistracie to be properly and adequately fitted by God, to preserve the civill State in civill peace and order; as He hath also appointed a spirituall government and Governours in matters pertaining to His worship and the consciences of men, both which Government, Governours, Laws, Offences, Punishments are Essentially distinct, and the confounding of

¹ Quoted in Gardiner, *Civil War*, vol. I, p. 339.

them brings all the world in Combustion." Almost a year afterwards he published his great work, in which he wrought out his defence of religious liberty. It is entitled *The Bloudy Tenent* [*Tenet*] *of Persecution*. In the preface he refers to a speech on the subject which he had heard and which no doubt was made by Vane. "Mine own ears," he says, "were glad and late witnesses of an heavenly speech of one of the most eminent of that High Assembly of Parliament, 'Why should the labours of any be suppressed, if sober, though never so different? We now profess to seek God, we desire to see light.'"

Milton afterwards, in his famous sonnet, apostrophized Vane and declared—

"To know

Both spiritual power and civil, what each means,
What severs each, thou hast learn'd which few have done."

Some of the credit of teaching him this knowledge is undoubtedly due to Williams, who traversed as fearlessly new regions of thought as he did the wilds of American forests and prepared a pathway by which others might safely follow.

The other quarter that welcomed Vane's opinions on toleration was the Court at Oxford. The principle of liberty of conscience was valued there as affording a basis for political intrigue. As we have already said, Charles found it a convenient defence against ecclesiastical changes promoted by the Parliament and a means by which he might succeed in splitting up the ranks of his opponents.

After the Battle of Marston Moor Rupert made his way back into Lancashire. There being now no reason for keeping together their combined forces, the victorious generals resolved to separate in different directions. Leven, with the Scotch contingent, went northwards to prosecute the siege of Newcastle.¹ The Fairfaxes,

¹ *Lives of the Duke and Duchess of Newcastle*, p. 78; Rushworth, *Collections*, part 3, vol. II, p. 640.

with the Yorkshire troops, set themselves to reduce the fortresses in that county which still held out for the King; while Manchester and Cromwell returned to Lincolnshire to guard the eastern counties. In the meantime a serious check had been inflicted upon one of the two sections of the Parliamentary forces in the South, and it was soon to be followed by the utter overthrow of the other.¹ Essex and Waller had attempted to enclose the King in Oxford, but he had escaped between them to Worcester; and thereupon Essex left Waller to pursue the King, while he himself set out to conquer the west of England. Both enterprises failed disastrously. Charles got safely back to Oxford, and defeated Waller at Cropredy Bridge (29 June), on the borders of Oxfordshire and Northamptonshire, after which the Parliamentary general returned to London, having lost most of his remaining men by desertion on the way. Essex, who had gone into Devonshire and Cornwall, was surrounded by the Royal forces. His cavalry cut their way out, but all his infantry were taken prisoners (1 September), and he himself escaped by sea to Plymouth, and thence to London.²

The differences between the two factions in the Parliamentary army became more evident on the overthrow of Essex. For the one army left that might serve as the nucleus round which the scattered fragments of his and of Waller's forces might rally, was that of the Eastern Association under Manchester and Cromwell, and in it the differences in question appeared in their acutest form. It was not that those called by the name Presbyterian were so enamoured with the ecclesiastical system of Scotland as to desire to impose it upon England. They were rather a political than an ecclesiastical party, and beyond the principle of the parity of ministers and the institution of lay elders they borrowed

¹ Gardiner, *Civil War*, vol. I, p. 452.

² Rushworth, *Collections*, part 3, vol. II, p. 705; Clarendon, *Rebellion*, VIII, 117; Whitelock, *Memorials*, p. 102.

little from the Presbyterian polity. "They had," says Dr Gardiner, "no zeal for Presbyterianism as a divine institution. It was to them chiefly an ecclesiastical form of Parliamentarism, in which the Assembly was to work under the control of the Houses, and the parochial clergy were to work under the control of the lay elders."¹ The Royal office was an essential part of their theory of an ideal State, and hence they were convinced that in the end they would have to make terms with the Sovereign against whom they were in arms. The Independents, on the other hand, were the more extreme section of the Puritan party, and included men of every phase of religious belief, from the most sober orthodoxy to the wildest vagaries of fanaticism. "The aim of the Puritan," it has been said, "was to set up a visible kingdom of God upon the earth"; and the adoption of this idea as a matter of practical politics involved many drastic changes. For since personal godliness came to be regarded as the chief qualification for public employment, the belief in the sanctity of the office of King or of Priest was regarded as a mere delusion. Republican ideas took deep root in such soil; and along with the repudiation of priestly assumptions there sprang up a fierce determination to resist clerical rule of every kind. To those of this type of mind the imposition of the Covenant and the calling in of the Scots—the triumph of Pym's diplomacy—were specially bitter. How keen were the feelings of resentment of many at the idea of presbyter being substituted for priest we may judge from Cromwell's declaration that if the Scots "pressed for their discipline he could as soon draw his sword against them as against any in the King's army."²

¹ *Civil War*, vol. II, p. 2.

² Manchester to the House of Lords, *Camden Misc.*, VIII.

CHAPTER X

Dissension among Parliamentary Generals—Second Battle of Newbury—The Self-Denying Ordinance—New Model Army—Trial and execution of Laud—Treaty of Uxbridge—Montrose's victories in Scotland—Battle of Naseby—Charles negotiates with the Parliament—Two letters from him to Vane—He surrenders to the Scots—Jealousy between the Parliament and the army—Vane seeks to mediate between them.

To an assemblage of Presbyterians and Independents Vane's suggestion as to the deposition of Charles I must have been a real apple of discord; and from that very time can be clearly traced a growing animosity between the two sections of the Parliamentary party. Immediately after the surrender of York the three generals, Leven, Fairfax and Manchester, addressed a letter to the Parliament in which they virtually declared for Presbyterianism and anticipated peace being made with the King.¹ The view of matters in the other section of the party may be discerned in a letter from Cromwell to a friend in which the credit of the victory of Marston Moor is claimed for the Independents, for so, at least, we may interpret his assertion that "it had all the evidences of an absolute victory obtained by the Lord's blessing upon the godly party principally."² His distinction between the "godly party" in the army and their present associates of a contrary class is very

¹ Gardiner, *Civil War*, vol. I, p. 451.

² Carlyle, *Cromwell*, Letter XXI.

significant. Equally so is the fact that when Essex was defeated not a few of the Independents in the army "shewed themselves so joyful as though it had been a victory new gained to themselves."¹

The army of the Eastern Association under Manchester, with Cromwell as his lieutenant-general, was summoned southward by Parliament to attempt to retrieve some of the disasters which Essex and Waller had incurred. The latter commanders, however, were not superseded, but were provided with fresh forces, and placed on the Council of War by which operations against Charles were to be directed. A more exasperating commander than Manchester to those like Cromwell, who were in favour of vigorous measures when an opportunity of profiting by the enemy's weakness or errors presented itself, could scarcely be conceived. For not only did he think it best to avoid undue risk in handling the body of troops on which so much depended by adopting a Fabian policy, but he was disinclined to inflict a crushing defeat on the enemy, even if the opportunity were given him, as he was afraid of strengthening that section of his party which seemed hostile both to King and to peers. In addition to this he was convinced that the prolongation of the war was utterly fruitless. "If we beat the King ninety and nine times," he said, "yet he is King still, and so will his posterity be after him; but if the King beat us once we shall be all hanged, and our posterity made slaves."² In these circumstances no one can be surprised that the second Battle of Newbury, fought on 26 October, 1644, was indecisive, even although the Parliamentary forces numbered nineteen thousand to the King's ten thousand, and occupied a strong position. Part of Manchester's troops made a spirited and successful onslaught on the enemy, but he refused to support them, in spite of the entreaties of his officers, until it was too late. When he gave orders for an advance

¹ Gardiner, *Civil War*, vol. I, p. 451.

² *Ibid.*, vol. I, p. 515.

he was heavily repulsed, and the enemy, during the night, succeeded in withdrawing their forces unmolested.¹

A fierce attack upon the Earl of Manchester was made by Cromwell in consequence of these highly unsatisfactory proceedings. The substance of the latter's accusation was that the Earl had been disinclined to win a thorough victory for fear of its leading to a peace too unfavourable to the Royal cause, and had in pursuance of this policy acted contrary to the commands of the Committee of Both Kingdoms and of his own Council of War. Manchester replied by counter charges against Cromwell, in which he disclosed his lieutenant-general's desire to have the army exclusively of men of the Independent type of politics, who might hinder the Scots from imposing a dishonourable peace upon "honest men." The charges and counter-charges were followed by no definite decision, but in the course of debate a momentous proposal was made to the effect that members of both Houses who held commands in the army should resign them. This was the celebrated Self-Denying Ordinance: "That during the time of this war no member of either House shall have or execute any office or command, military or civil, granted or conferred by both or either of the Houses of Parliament, or any authority derived from both by either of the Houses."² The suggestion was made by Cromwell himself, but an Ordinance embodying it was formally moved by an obscure member, Zouch Tate, a Presbyterian of a narrow type, and was seconded by Vane. There is every probability that the whole matter had been arranged beforehand by Cromwell and Vane, for it was not likely that a matter of so much importance would have been allowed to emerge from debate in a haphazard way.

As the Ordinance stood it was as acceptable to those who wished to get rid of Cromwell, as it was to those

¹ Clarendon, *Rebellion*, VIII, 154-9; Rushworth, *Collections*, part 3, vol. II, pp. 721-30; *Old Parl. Hist.*, vol. III, p. 296; Whitelock, *Memorials*, p. 108.

² *Commons' Journals*, vol. III, p. 718; Rushworth, *Collections*, part 4, vol. I, pp. 3-5; *Old Parl. Hist.*, vol. III, p. 326.

who wished authority to be taken out of the hands of Essex and of Manchester; and, therefore, we are shut up to the conclusion that Cromwell at this time was genuinely willing to leave the army and retire into private life. The fact that in the end Cromwell retained his command, while Essex and Manchester were superseded, may seem rather to suggest that the Self-Denying Ordinance was a mere device to get rid of the aristocratic commanders whose incompetence or half-heartedness had brought the cause entrusted to them to the verge of ruin, and that contrary to the provisions of the ordinance Cromwell's services were retained. But this view of matters is quite erroneous, and a very simple explanation can be given of the circumstances, which seem at first sight so inexplicable. The House of Lords laid aside the Self-Denying Ordinance, which absolutely forbade members of either House to hold military command.¹ Three months afterwards a Second Self-Denying Ordinance was passed, which simply ordered members of either House who held commands to resign them within forty days, and did not forbid re-appointment to them.² This was a course taken by events which neither Cromwell nor anyone else could have foreseen at the time when the First Self-Denying ordinance was brought in. At the same time the New Model Ordinance was passed, and by it the military forces were re-organized, and a standing army paid, and controlled by Government, was substituted for the levies made in different districts and supported by local contributions and assessments. Of this new force Fairfax, who was not in Parliament, was appointed commander-in-chief.³

In the October of 1643 the trial of Archbishop Laud, which Vane had initiated nearly three years before, but which had been postponed, was resumed and carried through. He was accused of endeavouring to introduce

¹ *Lords' Journals*, vol. VII, p. 136.

² *Ibid.*, vol. VII, p. 302.

³ Gardiner, *Civil War*, vol. II, pp. 146-52.

arbitrary government and to alter the true Protestant religion established by law. His trial extended over five months and was conducted with far greater considerateness than he had been accustomed to show to delinquents brought up before courts in which he had presided. Counsel were provided for him, and a grant of money made him for the payment of their fees; and a patient hearing was given to his defence of himself. The sentence of death passed upon him was executed on 10 January, 1645. He met his fate with dignity and composure. As one of the chief authors of the Civil War he certainly as richly deserved punishment as did Strafford. It is absurd to speak of him as a martyr for the Church of England, as he was not tried for holding any of the doctrines of that Church,¹ or for maintaining its discipline, but for attempting innovations in both, without law or contrary to law. In view, however, of his age, and of the fact that he was now incapable of doing further harm, it may be thought that a death sentence might have been remitted. Yet when one remembers the dreadful embitterment of feeling produced by civil war, and the panic aroused in those days by dread of Popish plots, it cannot be thought surprising that heavy chastisement, instead of a contemptuous pardon, should have been meted out to him.

The welding together of the Scottish and English forces which recent events seemed to be driving apart was accomplished, strangely enough, by the attempt and failure to settle the matters in dispute between King and Parliament by fresh peace negotiations. These were held at Uxbridge, in Middlesex, fifteen miles from London, and lasted for three weeks, from 29 January to 22 February, 1645. As might have been expected, they turned out to be utterly futile. The demands of the Parliament for the abolition of Episcopacy, the command of the army and navy, the continuation of the war with the Irish rebels, and the right to nominate

¹ Whitelock, *Memorials*, pp. 127-34.

the great officers of State, were found too revolutionary to be entertained. The result of the war had not been sufficiently decisive to deprive Charles of the hope of victory in the end, and so he was not inclined to give up the cause of his Church, to betray his friends, and to forfeit so large a part of his kingly power. The New Model Army, which was to be the instrument by which the military power he could command was to be finally and hopelessly shattered, was still in process of formation, and was the laughing-stock of the Cavaliers on whom it was to fall like a thunderbolt. Charles, therefore, with what he thought good reason, had no hesitation in rejecting the offers of the Parliament.

The news which he received from Scotland confirmed him in the hope of victory in the coming campaign. For Montrose had begun that career of conquest in which army after army of the Covenanting forces was overthrown. Within less than a month he had raised an army, fought two battles, defeated forces far superior to his own in number and equipment, and taken Perth and Aberdeen. He then betook himself for some months to guerilla warfare, in which he was a past master, and after baffling and wearing out his opponents, inflicted a crushing defeat upon them in the Battle of Inverlochy. To these victories were shortly afterwards added others on a still greater scale in those of the Battles of Auldearn, Alford and Kilsyth.¹ Yet, splendid as these were, regarded as military achievements, they were wholly fruitless so far as the cause of Charles I was concerned. For, before the series of victories wrought in Scotland was complete, the New Model Army in England had shattered the Royal forces at Naseby—the last pitched battle in which the King was able to engage with his rebellious subjects.² One of the objects which Montrose had set before him was, indeed, attained, that of securing the

¹ The dates of Montrose's battles are as follows: Tippermuir (1 Sept. 1644), Aberdeen (13 Sept.), Inverlochy (2 Feb. 1645), Auldearn (9 May), Alford (2 July) and Kilsyth (15 Aug.).

² Naseby was fought on 14 June, 1645.

recall from England of some of the Scottish troops which had been sent to assist the Parliamentary forces, but it was only to be overwhelmed by them at the Battle of Philiphaugh (13 September, 1645).¹

The decisive battle in the first Civil War was fought, as we have said, at Naseby. This is a hamlet in Northamptonshire, on the uplands from which streams descend that flow, some westward into the Bristol Channel,² and others eastward through the Fen country into the North Sea. Here, on 14 June, 1645, Charles fought and lost his last battle. The New Model Army, scorned by the Royalists, and by no means conscious of its own strength, won a great victory, and irremediably shattered the Cavalier party. The Royal infantry were almost annihilated, five thousand prisoners were taken, and the whole of the artillery fell into the enemy's hands. Such a result was not surprising when one considers the numbers and quality of the Parliamentary troops, for they were fourteen thousand in number to the King's seven thousand five hundred, and were the flower of the Puritan forces, splendidly handled by Fairfax and Cromwell.

This battle not only marks a definite stage in the conflict between Charles and his subjects, but also one in the history of toleration. For now Cromwell spoke out, and in his report of the battle to the Speaker of the House of Commons, he demanded that those who had risked their lives for their country's freedom should not be subjected to coercion in religious matters. "Honest men," he says, "served you faithfully in this action. Sir, they are trusty; I beseech you, in the name of God, not to discourage them. . . . He that ventures his life for the liberty of his country, I wish he trust God for the liberty of his conscience, and you for the liberty he fights for."³ The prevailing tone of opinion with regard to this matter

¹ Willcock, *The Great Marquess*, p. 387.

² A spring in the village of Naseby is the source of the Warwickshire Avon.

³ Carlyle, *Cromwell*, vol. I, p. 192.

in the army is vividly described by Baxter, and, we need not say, is reprobated by him. "Their most frequent and vehement disputes," he tells us, "were for liberty of conscience, as they called it, that is, that the civil magistrate had nothing to do to determine anything in matters of religion, by constraint or restraint, but every man might not only hold, but preach and do, in matters of religion what he pleased—that the civil magistrate hath nothing to do but with civil things, to keep the peace, and protect the Church's liberties."¹ And so the cause which Vane had earnestly pleaded on grounds of reason and of Scripture with but limited success had the support of a victorious army.

Yet though Charles had been finally and hopelessly defeated on the field of war, he had still considerable belief in his power of intrigue, and hoped to play off one section of his opponents against the other, and thus to succeed in defeating them both. He had more than one string to his bow. On the one hand he might unite with the Independents on the basis of religious toleration and resist the imposition of the yoke of Presbyterian discipline, or on the other hand he might avail himself of the strongly monarchical sentiments of the Presbyterians, induce them to modify their ecclesiastical policy, and combine with them against the Independents. Now the one scheme and now the other seemed to be feasible, and to promise to open the way for his restoration to his former authority. Strangely enough both parties seemed equally convinced that he was almost necessary for the existence of Society. The laws ran in the name of a King, and the safety of life and property seemed bound up with his tenure of office. A change of the form of government seemed to threaten anarchy. And this opinion which floated vaguely in the minds of men was held by Charles himself as a definite and unquestionable truth. He was absolutely convinced that he was indispensable. His fatal error was that in his secret heart

¹ *Reliquiæ Baxterianæ*, part 1, pp. 53-6.

he loathed both of the parties with whom by turns he negotiated, and succeeded in convincing both of them of his utter untrustworthiness.

In the end of 1645 he wrote to the Parliament asking for a safe-conduct, and to be allowed to go to London for forty days, at the close of which, if negotiations for a permanent settlement of matters in dispute failed, he might retire to Oxford or to some other place of safety. The attraction to him on this occasion was the possibility of coming to terms with the English Presbyterians and their Scottish allies. In writing to the Queen he declared his real feelings with cynical candour. "Knowing assuredly," he said, "the great animosity which is betwixt the Independents and Presbyterians, I had great reason to hope that one of the factions would so address themselves to me that I might without difficulty obtain my so just ends. . . Besides, I might have found means to have put distractions among them, though I had found none."¹ His fantastical proposal met with no encouragement, but this did not hinder his renewing it a few weeks later. His negotiations with the Presbyterians were blocked by his resolution not to make the concessions in the matter of religion which they demanded, and so he turned to the Independents.

By his orders his secretary, Sir Edward Nicholas, wrote to Sir Henry Vane, as follows: "Sr, You cannot suppose the work is donn, though God should suffer you to destroy the King: the miseryes which will inevitably follow are soe plaine in view, that it is more then [than] necessary some speedy expedient be found for their prevention. Is it not cleere to you (to me it is) that Spaine and ffrance will instantly conclude a peace: and that ffrance makes great preparation to joyne with the Scotts (when the breach betweene you and them shall happen) whilst Spaine labours to be Protector of Ireland, and will undoubtedly carry itt. Consider well, whether the season is not proper for this designe, when the wealth

¹ Quoted by Gardiner *Civil War* vol. II, p. 392.

of this nation is already so exhausted, and the sufferings of the people soe great, that they are no longer to be supported. This is reason, tis not to cast a bone amongst you: The only true remedye is (and it is a safe and honourable one for you), that you sett your selfe, the gentleman that was quartered with you,¹ and all his and your freinds to prevaile, that the King may come to London upon the termes he hath offered; where, if Presbitery shall be soe strongly insisted upon as that there can be noe peace without itt, you shall certainly have all the power my master cann make to joyne with you in rooting out of this kingdom that tyrannical Government; with this condition, that my master may not have his conscience disturbed (yours being free) when that easy worke is finished. Loose not this faire opertunity, the like was never offered, nor ever will be; for itt brings all things of benefitt and advantage imaginable, both to the generall and to your particular; to him that was quartered with you, and to his and you[r] freinds: and shall be honestly made good. Trust to me for the performance of itt; waigh itt sadly [seriously], and againe relye upon me. Bee confident, that neither he that carryes this, nor he that delivers it to you, knowes anything of itt.”²

The letter is unsigned, but at the foot of it the words are written: “This is a trew Coppie of what was sent to Sir Hen. Vane the Younger by my comand. C. R., Mar. 2nd, 1645-6.”

Evidently before a reply to this letter could be received from Vane, in case he were willing to reply to it, a second letter was dispatched to him. It is more urgent in tone and betrays the desperate circumstances in which the writer was placed. It runs as follows:—“Sr, I shall only add this word to what was said in my last: that you hasten my business all that possibly you cann; the

¹ This person was evidently a prominent leader of some section of the Parliamentary party, distinct from that to which Vane belonged. Our conjecture is that it was Bulstrode Whitelocke. He belonged to the moderate Presbyterian party, and was at this time on intimate terms with Vane and speaks of living with him (*Memorials*, pp. 176, 177).

² Evelyn, *Diary*, vol. IV, p. 18.

occasion lately given being fairer than ever, and donn on purpose. Be very confident that all things shall be performed according to my promise. By all that is good, I conjure you, to dispatch that curtoysye for me with all speed, or it will be too late, I shall perish before I receive the fruits of itt. I may not tell you my necessityes, but if it were necessary soe to doe, I am sure you would lay all other considerations aside, and fulfil my desires. This is all: trust me, I will repay your favour to the full. I have donn. If I have not an answeare within foure dayes after the receipt of this, I shall be necessitated to finde some other expedient. God direct you, I have discharged my dutye.”¹ This letter also is unsigned, but at the foot of it the words are written by the King: “This is a true Copie of what was sent by Jack Ashburnham and my comand to Sir Henry Vane the younger, C.R.”

Some pity might have been awakened in our hearts by these words, if we could have forgotten the writer's open acknowledgment of duplicity in the letter to the Queen from which we have given an extract. His invariable guile and falseness are displayed even more plainly in a letter to his confidential counsellor, Lord Digby. This was written in the very same month in which he pledged his honour that he was willing to co-operate with Vane and his party. “I am not without hope,” he said, “that I shall be able so to draw either the Presbyterians or the Independents to side with me for extirpating one another, that I shall be really King again.”²

There is no evidence that Vane replied to this second letter, and it is almost certain that he did not. He could scarcely, one would think, have placed any confidence in the good faith of the writer, or have felt the faintest desire to betray his country for the sake of his party at the call of a man who hated that party bitterly

¹ Evelyn, *Diary*, vol. IV, p. 182: see also *Clarendon Papers*, vol. II, pp. 226, 227.

² Carte, *Life of Ormond* vol. III, p. 452.

and only sought to make use of it because he was in a desperate position and thought he might extricate himself by its aid. Indeed, Vane openly said that the King's overtures to the Independents and his advocacy of liberty of conscience was "a mere artifice to try and detach them from the interests of Parliament." "To those interests," he declared "they would always remain attached; and when matters were settled they would much rather prefer to receive from the Parliament than from the King that tranquillity for their consciences which the latter offered them at present."¹

After Naseby the defeated King had fled to Leicester and then westward towards Wales, with the view of raising more troops there. This scheme proved fruitless, and so, with what scattered remnants of an army he could collect he fled from place to place, sometimes buoyed up by hope and often cast down in despair, until eleven months afterwards he decided to give himself up to the Scots then engaged in the siege of Newark in Nottinghamshire. Hither he came at seven o'clock in the morning of 5 May, 1646, in the disguise of a groom, and with but one attendant; and here he began that life of captivity which was to end only on the scaffold.²

Immediately after the King gave himself up to the Scots the latter retired northwards to Newcastle, taking their prisoner with them. Three months later they wrote to the English Parliament offering to withdraw their forces from England on receiving the payment for expenses to which they were entitled, and asking for a conference to be held to decide what was to be done with the King. During all this time pressure had been brought to bear on Charles from every quarter to accept Presbyterianism. Had he consented to do so there is not the least doubt that the Scottish leaders would have made his cause their own and have fought to set him again upon the throne. But his resolution not to take

¹ *Monterey Correspondence*, vol. I, p. 130.

² Whitelock, *Memorials*, p. 203; Carlyle, *Cromwell*, vol. I, p. 193.

this course could not be shaken. The need for the presence of Scottish troops in England was past, now that the war was over. Take him back with them to Scotland they would not. And so they had no option but to hand him over to commissioners appointed by the English Parliament to take charge of him. Accordingly by 11 February, 1647, the last of the Scottish troops had crossed the Tweed, and Charles was lodged in Holdenby House in Northamptonshire.¹

The departure of the Scots from England had a marked effect upon English politics, and altered perceptibly the balance of parties. As long as the danger existed of an alliance between the English Presbyterians and the Scots to restore Charles to the throne as a Covenanted Sovereign many members of Parliament had supported the Independents and given them a preponderating influence in the House of Commons; but now that this danger was removed the ecclesiastical question alone divided the parties, and the Presbyterians were found to be in the ascendant. Vane's leadership therefore was at an end, for his attachment to Independency remained unchanged. The vacancies in the House which had occurred through the secession or exclusion of Royalist members had now been filled up; but, although the new members included some prominent Independents, the Presbyterian party had still the majority.² The strength of the Independent party in the country was largely due to the prestige of the New Model Army which had brought the war to a triumphant close; and accordingly it was the policy of their opponents to suggest the disbandment of the military forces. The need for them had greatly diminished, if, indeed, it had not passed away, and the pressure of the taxation required for their support was severely felt in many quarters. The result of this new turn of matters was to array Presbyterianism against Indepen-

¹ *Old Parl. Hist.*, vol. III, p. 467: Willcock, *The Great Marquess*, p. 198. Holdenby House was a stately Elizabethan mansion, built by Sir Christopher Hatton. It is within a short ride of Naseby.

² Gardiner, *Civil War*, vol. II, p. 449: Guizot, *English Revolution*, p. 291.

dency in the form of a conflict between the Parliament and the army. This is the course of political events which we have now to follow.

The object which the Presbyterian majority in Parliament set before itself was to disband the New Model Army and to reorganize a force under Presbyterian officers for service in Ireland, the only part of the three kingdoms in which the active services of troops were needed at the time. The New Model Army, however, declined to be disbanded. Its members indignantly declared that in becoming soldiers they had not ceased to be citizens, and they refused to lay down their arms while the objects for which they had taken them up were still unsecured. Liberty of conscience, the ground of the quarrel, and for which so many of their friends' lives had been lost, and so much of their own blood spilt, was in danger. The next that the Parliament knew was that the King had been taken from the custody of their commissioners and was in that of the Army, and that the latter might at any moment march on London, "to settle the peace of the Kingdom and the liberties of the subject." The Army demanded the expulsion of eleven members, of whom Hollis was the leader, on the ground that they were stirring up enmity between the Parliament and them, and were planning a renewal of the war. So great was the alarm in London that these eleven were compelled by public pressure to withdraw.¹

The demands which the Army then presented to the King were astonishingly moderate and reasonable, and had Charles consented to them an enduring settlement of the questions in dispute might have been effected.² But unfortunately his conviction that he was indispensable to both parties and could secure his purposes by playing off the one against the other led him to lose this opportunity of coming to terms with his subjects. A rising

¹ *Lords' Journals*, vol. IX, p. 115: *Old Parl. Hist.*, vol. III, p. 568: Rushworth, *Collections*, part 4, vol. I, pp. 469-72: Herbert, *Memoirs*, p. 20: *Commons' Journals*, vol. V, p. 225.

² Green, *Short History of the English People*, chap. VIII, sect. 8.

of the London mob in the interests of the King forced the Parliament to recall the eleven members; on which the Speakers of the two Houses, eight peers, and fifty-seven Independent members fled from London and took refuge with the army. The latter then proceeded to London, expelled the eleven members again, replaced those who had put themselves under their protection, and resumed negotiations with the King.¹ But Charles's evasions and treachery succeeded in exhausting the patience of the army leaders, for while pretending to negotiate with them he was preparing for a Royalist rising and for an invasion of England by the Scots. Suddenly he managed to escape from London and took refuge in the Isle of Wight, only to become a prisoner in Carisbrooke Castle in stricter custody than he had yet known. One cannot be surprised in the circumstances to learn that by a large majority the Parliament decided to make no further addresses to the King and to receive no messages from him.²

In such a welter of politics it was not possible for anyone with fixed theories and well-defined aims to act as a leader. The only type of politician who could save himself from being submerged in the tumultuous sea of public affairs was the observer of "times and seasons," the opportunist, like Cromwell, who took short views of life and acted promptly in emergencies and was by no means unduly concerned about maintaining a reputation for consistency. Vane's temperament was the exact opposite of this, and the result was that so far from managing factions and humouring opponents he came into direct collision with every variety of party with which he had to do. His foundation principles in politics were that the people are the source of power and that conscience should be unfettered.³ Provided that these principles were conserved he had no preference for a

¹ Rushworth, *Collections*, part 4, vol. II, p. 756: *Old Parl. Hist.*, vol. III, p. 736: Hollis, *Memoirs*, p. 169.

² Berkley, *Memoirs*, p. 57: Clarendon, *Rebellion*, X, 146.

³ See this fully expounded in *The People's Case Stated* (*Trial of Sir H. Vane*, p. 97).

republic rather than a monarchy, or for one form of church government rather than another on the ground of its being of Divine appointment. So far as England was concerned he was in favour of a constitutional monarchy and of government by King, Lords and Commons. As early as April, 1646, when the first Civil War was virtually over and the King was in the hands of the Scots, Vane was a party to the declaration of the Houses that they would not alter the fundamental government of the kingdom by King, Lords and Commons:¹ and two years later he supported a second declaration of the kind, greatly to the irritation of his friends in the army, who by that time had come to cherish very different opinions.² He was keenly hated by the Royalists, and as we have seen, he was regarded by the Presbyterians as inspired by powers of evil. The Levellers distrusted him as an aristocrat: and the London mob when the feeling was strong against the army, with which he was regarded as in sympathy in June, 1647, threatened to cut him in pieces outside the House of Commons.³ Between the army and the Parliament his position as a mediator was by no means a sinecure or a position of safety: when he endeavoured to persuade the Parliament to yield to the army's terms he was regarded as threatening the Parliament with the sword,⁴ while when he tried to restrain the officers of the army from violence he was treated as a renegade.⁵ Indeed Lilburne is said to have declared that he would have more pleasure in cutting Vane's throat than in cutting that of Hollis, the leader of the eleven members whom the Army expelled from Parliament.⁶ He opposed the motion of Marten when that ardent republican proposed on 22 September, 1647, that no further application be made to the King,

¹ *Commons' Journals*, vol. IV, p. 512.

² *Ibid.*, vol. V, p. 547: *Clarke Papers*, vol. II, p. 17.

³ *Ibid.*, vol. I, p. 136.

⁴ Gardiner, *Civil War*, vol. IV, p. 36: Walker, *History of Independency*, vol. I, p. 47.

⁵ Wildman, *Putney Projects* (1647), p. 43.

⁶ *Clarke Papers*, vol. I, p. 158.

and in so doing he was supported by Cromwell and Ireton.¹ Four months later he opposed the same motion again, though on this second occasion it was supported by Cromwell and was carried by a large majority.² And yet the fact of his being so often in opposition and in a minority was not due to his being an obscurantist or a man of merely angular and unpracticable temper. In his demand for a constitutional monarchy and for such a settlement of religion as would leave the conscience unconstrained, he anticipated and prepared the way for an age of freedom and orderly government, which his own generation was not sufficiently advanced to realize or even to comprehend.

¹ Gardiner, *Civil War*, vol. III, p. 201.

² *Clarke Papers*, vol. I, p. 231.

CHAPTER XI

“Engagement” between Charles and the Scottish Commissioners—Scotch army under Hamilton invades England—Battle of Preston—Treaty of Newport—Vane’s part in it—Vane’s relations with Cromwell—Their divergence in politics—*Remonstrance* by the army—Discussion regarding the King’s answers—Pride’s Purge—Trial and execution of the King—Vane’s freedom from complicity in this matter—His decision to act under a Commonwealth—He becomes a member of the Council of State—Reorganization of the navy—Blake’s naval operations.

A few weeks after Charles had gone to the Isle of Wight he signed a treaty, or, as it was called, an “Engagement,” with the Scottish Commissioners. According to it the Covenant was to be confirmed by an Act of Parliament, and the Presbyterian form of Church government established for three years. At the end of that time a final settlement of ecclesiastical matters was to be made by regular legislation in Parliament, after consultation with the Assembly of Divines, who were to be reinforced by twenty members chosen by the King. On the other hand the Covenant was not to be forced on any who conscientiously objected to it, and in the Royal household the accustomed mode of worship was to remain unaltered. In return for the concessions made by the King the Scottish Commissioners were to support his demand for his being allowed to come to London in freedom and honour to carry on negotiations there and for the disbanding of all armies with a view to a peaceful

settlement. If these terms were refused they pledged themselves to defend his rights by force of arms.¹

This treaty was by no means generally supported by the country in whose name it was made. The Parliament of Scotland approved of it, while the Commission of Assembly condemned it on the ground that the King's concessions in the matter of religion were inadequate; but sufficient support was obtained for it to plunge the country again in war. And so the second Civil War in England was set on foot, and it is significant that one of the first results of it was the resolute decision on the part of many of the leading men in the Parliamentary army to deprive Charles of his power of stirring up strife and to bring him to account for the blood which he had shed. The Scottish Royalists seized Carlisle and Berwick, and immediately thereafter an ultimatum was dispatched to the English Government in the terms of the treaty with Charles. Had the authorities in Scotland been able at once to invade England their forces might have been able to co-operate with the Royalists, whose insurrectionary movements in all parts of the country kept the Parliamentary armies very busily employed for the next two months. But the delay in putting an army into the field, caused by the divided condition of Scotland, gave the English authorities time to suppress revolts at home before confronting the invader. At last on 8 July, 1648, an ill-equipped and ineffective army of ten thousand men under the Duke of Hamilton crossed the Border, and was defeated by the Parliamentary forces under Cromwell at the Battle of Preston.²

Before the last of the insurrectionary movements had been stamped out and while Cromwell was absent from London, the Houses of Parliament repealed the Vote of

¹ Gardiner, *Civil War*, vol. III, p. 272: Grub, *Ecclesiastical History of Scotland*, vol. III, p. 130.

² Carlyle, *Cromwell*, vol. II, p. 14: Burnet, *Memoirs of the Dukes of Hamilton*, p. 461: Whitelock, *Memorials*, p. 331

No Addresses,¹ and a final conference was held between Commissioners from the Houses and the King at Newport in the Isle of Wight. These negotiations began on 18 September, 1648, and were prolonged beyond the forty days which had been originally fixed for their duration.² Vane was one of the fifteen Commissioners chosen by Parliament to carry on the Treaty, and he took a prominent part in the business when the discussion of ecclesiastical matters took place. Nearly three weeks before this time Parliament had passed an Ordinance establishing the Presbyterian system in England without toleration of any dissent from it. There was, therefore, little ground for discussion, as it was for Charles to say whether he would or would not accept the definite settlement which had been made. But Vane had a scheme of toleration which he pressed the King to accept. It had already been presented to Charles by the Army leaders a year before this, but had been rejected by him. As, however, it was virtually the settlement of matters made in the Toleration Act of 1689, it is certain that it was well worthy of his consideration. According to it "the existence of Episcopacy was indirectly admitted, but an Act was to be passed to take away from bishops and all other ecclesiastical officers all coercive legislation extending to any civil penalties, and also to repeal all laws by which the civil magistrate was bound to inflict punishment upon those who lay under ecclesiastical censure." The Acts enjoining the use of the Book of Common Prayer and imposing penalties for neglect of it were to be repealed, as well as those which enforced attendance at church or forbade religious meetings to be held elsewhere. Some fresh provision was to be made for dealing with Roman Catholics, to whom it was not regarded as safe to extend full toleration. The Covenant, also, was not to be imposed on any.³ Clarendon, indeed,

¹ *Lords' Journals*, vol. X, p. 454.

² Rushworth, *Collections*, part 4, vol. II, pp. 1265-1302: Warwick, *Memoirs*, p. 357: Whitelock, *Memorials*, p. 334.

³ Gardiner, *Civil War*, vol. III, p. 159.

accuses Vane of insincerity in the matter, and of prolonging the discussion until the army could be brought up to London.¹ But there are no grounds on which such a charge can be based. Vane had voted twice against the motion to make no further application to the King, and this attitude he maintained to the end; and there can be no doubt that he was eager to use this opportunity of giving effect to the principle of toleration which he held so tenaciously. But his endeavours to persuade Charles to accept his scheme were futile. The only reply the King would make was to repeat his proposal that Presbyterianism should be retained for three years and then modified or changed in some as yet undefined way. This reply was voted as unsatisfactory by the House of Commons, and their decision virtually put an end to the negotiations.² All through these Charles acted with his habitual duplicity. The concessions he pretended to make on various points were intended, as he admitted privately, to blind his opponents and to induce them to relax their custody of him and give him an opportunity of escaping from the island. "My only hope," he said, "is that now they believe I dare deny them nothing, and so be less careful of their guards."³ The powers of mind which the King showed on this and on other occasions of the kind when he discussed with his opponents the questions on which he differed from them were very remarkable. Even Vane was impressed by them at this time, and said that Charles "was a man of great parts and abilities," and by no means "the very weak person" he had previously thought him.⁴ It was certainly not intellectual deficiency that had led to his misfortunes, but inveterate moral duplicity combined with the determination to exercise arbitrary power.

We have already contrasted (the difference between)

¹ *Rebellion*, XII, 114; Burnet, *History of My own Time*, vol. I, p. 44.

² *Commons' Journals*, vol. VI, p. 62.

³ Wagstaffe, *Vindication*, p. 160.

⁴ Sir Edward Walker, *Memoirs*, p. 312.

Vane and Cromwell as politicians and spoken of the one as an idealist and the other as an opportunist in dealing with public matters. Perhaps at this point we may be allowed to give some details of the relations between them. It is interesting to know that they were very closely connected not only by party ties but also by strong personal friendship. It is curious to find that they had pet names for each other which they used in their letters. Vane was "Brother Heron," and Cromwell "Brother Fountain."¹ The latter always calls Vane "my brother" or "my dear brother." Indeed on one occasion on which he refers to him he calls him "my dear brother Heron, whom I love in the Lord." Vane is equally affectionate in his tone, and he in his turn calls Cromwell "Brother Fountain."² As the circumstance is rather curious a word of explanation of these terms will not be unwelcome. Cromwell at this time lived in King Street, Westminster, next door to a private house called "The Fountain," which was evidently the meeting-place of politicians of the type with which he was at the time connected. That the name in question belonged to him as a member of this circle is evident from the fact that there is a letter to Cromwell extant in which another politician, probably Scott, the regicide, is referred to as "your brother Fountain."³ This being the case it is almost certain that Vane derived the title of "Brother Heron" from being one of a political coterie that met at some house or tavern called "the Heron."

At one period in their relations Cromwell was very much under the influence of Vane and St John, and we find Lilburne upbraiding him for being "led by the nose" by persons whom he scurrilously describes as

¹ *Clarke Papers*, vol. II, p. 53.

² Nickolls, *Letters and Papers addressed to Cromwell*, p. 79: see also pp. 19, 40, 84.

³ *Ibid.*, p. 17. W. Walwyn, the Leveller, in his *Fountain of Schlaunder Discovered* (1649), 30 May, Thomason Pamphlets, refers to this knot of politicians. Henry Walker, the journalist, describes the Fountain as a private house. See his *Perfect Occurrences*, 1649: No. 145, 5-12 Oct. We are indebted for these facts to the kindness and erudition of J. B. Williams, Esq.

“two unworthy covetous earthworms.”¹ But as time went on divergence between their political views became more distinct, without disturbing, at any rate at first, their affection for each other. Both of them may be described as religious enthusiasts, in the older use of the term in which fanaticism or mysticism is understood as disturbing the mental balance; but the enthusiasm of Vane was curiously combined with a colder temperament than that of Cromwell, and with a considerable measure of shrewd good sense. Thus we find Cromwell adopting the highly dangerous theory that his military successes marked the Divine approval of his policy, and that he himself was an instrument in the hand of God for the chastisement of the enemies of heaven. This was a view of matters which Vane declined to accept, and in one of his letters, written to St John after the Battle of Preston, Cromwell refers to the fact with a certain amount of displeasure. “Remember my love,” he says, “to my dear brother H. Vane: I pray he make not too little nor I too much, of outward dispensations.”² Vane in writing to Cromwell some years later refers in somewhat unusual terms to the political differences which divided them at the time when the Scottish army had been defeated at Preston. He quotes Cromwell as saying on that occasion that he was as much unsatisfied with Vane’s “passive and suffering principles” as Vane was with Cromwell’s “active principles.”³ To speak of Vane and of “passive obedience” in the same breath seems grotesque; but undoubtedly at this period Vane while utterly dissatisfied with the King’s concessions, was attempting to make some stand against the party of violence and it would be easy to represent him as untrue to his past principles. Vane was not the only one who after aiding to set a revolution on foot has found himself obliged to recoil from the measures of some of his more

¹ *Jonah's Cry out of the Whale's Belly* (1647), p. 3: quoted in *D. N. B.* “Vane.”

² Carlyle, *Cromwell*, Letter LXVII.

³ *State Trials*, vol. V, p. 794: *Proceeds of the Protector Against Sir H. Vane*, p. 6.

extreme colleagues, and has run the risk of being treated as a reactionary and an opponent.

When the troubles between the Parliament and the army began both Cromwell and Vane were of one mind with regard to the matters in dispute, and it was noticed that for a short time they both absented themselves from the debates in the House of Commons;¹ but, as we have seen, at a later period they took different sides on the vote of No Addresses to the King. Vane opposed this motion on the first occasion when it was brought forward, and had Cromwell's support in so doing, with the result that the motion was defeated. He also opposed it on the second occasion, when, as we have said, it was introduced and was carried, though Cromwell supported it. His action also as a commissioner from the Parliament at the Treaty of Newport was condemned by Cromwell, though he and Vane still continued on terms of unbroken friendship. In a letter from Cromwell to Colonel Hammond, the Governor of the Isle of Wight, he states his opinion that Vane had gone too far in proposing a solution of difficulties on the basis of moderate Episcopacy. "Tell my brother Heron," he says, "I smiled at his expression concerning wise friend's opinion,² who thinks that the enthroning the King with Presbytery brings spiritual slavery, but with a moderate Episcopacy works a good peace. Both are a hard choice; I trust there's no necessity of either, except our base unbelief and fleshly wisdom make it so; but if I have any logic it will be easier to tyrannize having that he likes and serves his turn, than what you know and all believe he so much dislikes;³ but as to my brother himself, tell him indeed I think some of my friends have advanced too far, and need make an honourable retreat."⁴

¹ Gardiner, *Civil War*, vol. III, p. 57.

² I.e., probably the opinion of Pierrepont, a fellow-commissioner of Vane.

³ I.e., he will find it easier to tyrannize with Episcopacy which he likes than with Presbytery which he dislikes.

⁴ *Clarke Papers*, vol. II, p. 50. The letter is signed "Heron's brother." It is not in Carlyle's *Cromwell*.

In a letter written by Cromwell a fortnight or so later (25 November) to the same person distinct reference is made to Vane, though he is not named; and the writer speaks with deep feelings of indignation of the risk to the cause involved in the defection at this time of men whom he could not deny to be good, but whom he regarded as grievously misled. They feared the extreme party—the Levellers—but the very way to provoke disaster from that quarter was to consent to a hollow treaty and to allow oneself to be argued into a course contrary to reason and to the plain teaching of Providence. “Dost thou not think,” he said, “this fear of the Levellers (of whom there is no fear) that they would destroy nobility, etc., has caused some to take up corruption, and find it lawful to make this ruining hypocritical Agreement, on one part?¹ Hath not this biased even some good men? I will not say the thing they fear will come upon them; but if it do they will themselves bring it upon themselves. Have not some of our friends by their passive principle (which I judge not, only I think it liable to temptation as well as the active, and neither of them good but as we are led into them of God, and neither of them to be reasoned into, because the heart is deceitful) been occasioned to overlook what is just and honest, and to think the people of God may have as much or more good the one way than the other? Good by this man [the King],—against whom the Lord hath witnessed; and whom thou knowest! Is this so in their hearts; or is it reasoned, forced in?”²

The negotiations between the Parliamentary commissioners and the King at Newport, fruitless though they were, were regarded by the army with suspicion and hastened its intervention to put an end to the present intolerable condition of matters. A *Remonstrance* was prepared by the army leaders which not only insisted upon a cessation of attempts to treat with Charles and

¹ I.e., the Treaty of Newport—unreal, hypocritical on one part, the King’s part.

² Carlyle, *Cromwell*, Letter LXXXV.

upon bringing him to trial, but also called for limitation of the Royal office by making the monarchy elective and by depriving the King of the power of vetoing decisions of the House of Commons in which alone the will of the people was to be regarded as finding expression.¹ This *Remonstrance* was presented to the House of Commons in the name of the army on 20 November, with a view to its being carried into effect. The House postponed the consideration of it for a week, and in the meantime proceeded to discuss the treaty with the King. As Charles was known to be planning an escape from the Isle of Wight the army leaders hastened to prevent his executing his design. They took him out of the charge of the guards appointed by Parliament and imprisoned him in close confinement in Hurst Castle, a small and gloomy fortress on the Hampshire coast.²

When the day appointed for considering the *Remonstrance* arrived the matter was again postponed, and it seemed likely that it would be put off indefinitely. Upon this the army removed from Windsor to London with the distinct purpose of putting an end to the present Parliament. Their plan was to force an immediate dissolution, to appeal to the country for the election of fresh members and to carry on the government in the meantime by means of the minority in it of whose politics they approved. On Friday, 1 December, 1648, the day before the army entered London, the proceedings in Parliament were of special interest. The final answer of the King to the Parliamentary commissioners at Newport was made known to the House of Commons by Hollis, and Vane took a prominent part in the discussion that followed.³ What his actual opinions were with regard to the negotiations with the King we already know. While profoundly dissatisfied with the nominal concessions made by Charles, he was not prepared to sweep

¹ Gardiner, *Civil War*, vol. III, p. 502: Whitelock, *Memorials*, p. 355.

² *Old Parl. Hist.*, vol. III, pp. 1145-8: Ludlow, *Memoirs*, vol. I, p. 212: Whitelock, *Memorials*, p. 359.

³ Gardiner, *Civil War*, vol. III, pp. 529-31.

away the monarchy and to bring the King to judgement. Clarendon gives a report of his speech, which bears its falsity upon its face. In it Vane is represented as denouncing the renewal of addresses to the King—a procedure for which we know he had voted more than once, and as speaking of that Republican government which they intended and had begun to establish.¹ A much more credible report of his words is given us by Ludlow. “The acceptance of the Treaty,” he says, “was early pressed in Parliament by many. But Sir Henry Vane truly stated the matter of fact relating to the treaty, and so evidently discovered the design and deceit of the King’s answer that he made it clear to us, that by it the justice of our cause was not asserted nor our rights secured for the future.”²

Vane was in his place in Parliament on the following day, but the discussion on the King’s answers was adjourned, as the attention of all was taken up by the entry of the army into London. The next day was a Sunday, and so it was not until the afternoon of the 5th that a vote was taken. Very few, indeed, would have supported a motion that the King’s answers were satisfactory, but by a majority of 129 to 83 it was decided that they were a ground to proceed upon for the settlement of the peace of the kingdom.³ This was a motion which Vane would have supported had he been present, for the only alternative was to allow the army to take matters into their own hands and to destroy the King and the constitution. But as a matter of fact he absented himself from Parliament from 3 December until the 7th of the following February, and took no part in the momentous events which occurred during that time. For it was then that the army leaders after discussing the question of dissolving Parliament or of purging it from those whom they regarded as unfaithful to their trust,

¹ *Rebellion*, XI, 200.

² *Memoirs*, vol. I, p. 208.

³ *Commons’ Journals*, vol. VI, p. 93.

decided upon the latter course. Colonel Pride with a body of soldiers carried out this decision and excluded one hundred and forty-three members from the House of Commons. The mutilated remnant of the Commons passed an Act for appointing a High Court of Justice to try the King, and the decision arrived at in that Court for his execution was carried out on 30 January, 1649.¹

Sir Henry Vane did not take part in any of these proceedings; and when he was appointed a member of the Council of State which was to have executive authority in the new order of things, he opposed the "Engagement" by which members of Council were required to approve of it. The result was that a new form of engagement was drawn up, according to which the members consented to a republic without King or House of Peers, and promised to be faithful in performing the trust committed to them.² In his speech at his trial Vane gave the following account of his procedure at this time:—"As to my being," he said, "no leading or first Actor in any Change, it is very apparent by my deportment at the time when that great Violation of Priviledges happened to the Parliament, so as by force of Arms several Members thereof were debarred coming into the House and keeping their seats there. This made me forbear to come to the Parliament for the space of ten weeks (to wit, from the third of Decemb. 1648, till towards the middle of February following) or to meddle in any public transactions. And during that time, the matter most obvious to exception, in way of alteration of the government, did happen. I can therefore truly say that as I had neither consent nor vote, at first, in the Resolutions of the Houses, concerning the *Non-Addresses* to his late Majesty, so neither had I, in the least, any consent in, or approbation to, his Death. But on the contrary, when required by the Parliament, to take an Oath, to give my approbation *ex post facto* to what was

¹ Whitelock, *Memorials*, p. 375; Ludlow, *Memoirs*, vol. I, pp. 213-20.

² *Commons' Journals*, vol. VI, pp. 139, 146; Whitelock, *Memorials*, p. 383.

done, I utterly refused, and would not accept of sitting in the Council of State upon those terms, but occasioned a new Oath to be drawn, wherein that was omitted. Hereupon many of the Council of State sate, that would not take the other."¹

Unfortunately for himself Vane did not resign his treasurership of the navy at the time when he retired from Parliament. The result of this omission was that his enemies, when he was brought up for trial after the Restoration, were able to show that he had signed a warrant for delivery of stores on the very day of the King's execution, and this proved a certain connexion between him and the Regicides.² It is curious in view of their after relations to learn that it was only at Cromwell's earnest solicitations that Vane consented to return to his place in Parliament and to enter the Council of State. "The truth is," says his apologist Stubbe, "this honourable gentleman having absented himself from the Parliament, upon that great change and alteration of affairs in the year 1648, lieutenant-general Cromwell, who sat upon the trial of the King, and encouraged the commissioners of the high court of justice to proceed to sentence, it being the general vote and desire of the army, that the King should be put to death, was importunate with this gentleman and used many arguments to persuade him to sit again in Parliament, and in the council of state, and did at length prevail with him to come in."³

We do not know by what arguments Cromwell endeavoured to justify or condone the outrage upon Parliament in excluding so many of its members by armed force and in procuring in its name legislation abhorrent to the majority of its members. But if he spoke, as doubtless he did, of even "the little remnant of the Parliament," irreverently entitled by its enemies "the

¹ *Trial of Sir H. Vane*, p. 46.

² *Ibid.*, p. 27.

³ Quoted in *Forster's Life of Vane*, p. 126n.

Rump," as deserving of respect on the ground that it was the only legislative and executive authority now remaining in the country he would have powerful support for his contention in Vane's own theory of government. This he expounded with wonderful force and lucidity in his defence of himself at his trial. "However I have been misjudged and misunderstood," he said, "I can truly affirm that in the whole series of my actions, that which I have had in my eye hath been to preserve the ancient well constituted government of England on its own basis and primitive righteous foundations, most learnedly stated by Fortescue in his book, made in praise of the English laws.¹ And I did account it the most likely means for the effecting of this to preserve it at least in its root, whatever changes and alterations it might be exposed unto in its branches through the blustering and stormy times that have passed over us.

"This is no new doctrine, in a kingdom acquainted with political power, as Fortescue shows ours is, describing it to be in effect the common assent of the realm, the will of the people or whole body of the kingdom, represented in Parliament. Nay, though this representation, as hath fallen out, be restrained for a season to the Commons House in their single actings, into which, as we have seen, when by the inordinate fire of the times, two of the three estates have for a season been melted down, they did but retire into their root, and were not hereby in their right, destroyed, but rather preserved, though as to their exercise laid for a while asleep, till the season came of their revival and restoration."²

In the next paragraph of the same speech he gives the reasons which moved him, on due consideration, to agree to act under the Commonwealth. He disclaimed all

¹ Sir John Fortescue, Kt., was an eminent lawyer, and was Lord Chief Justice of England in the reign of Henry VI, and afterwards Chancellor. His treatise *De Laudibus Legum Angliæ* has received the highest praise from very competent critics. It has several times been translated into English. It was published with notes in 1825 by the University of Cambridge.

² *Trial*, p. 45.

responsibility for the change of the form of government that had been effected. The resolutions and votes by which it had been brought about had been passed some weeks before he returned to Parliament: "Yet afterwards," he says, "I conceived it my duty, as the state of things did then appear to me, notwithstanding the said Alteration made, to keep my station in Parliament, and to perform my allegiance therein, to King and Kingdom, under the Powers then *regnant* (upon my principles before declared), yielding obedience to their Authority and Commands, and having received Trust, in reference to the safety and preservation of the Kingdom, in those times of imminent danger, both within and without, I did conscientiously hold myself obliged to be true and faithful therein. This I did upon a public account, not daring to quit my station in Parliament, by virtue of my first writ."¹

The legislative body of which Vane was now a member was very different from that to which his constituents in Hull had originally returned him. It was an oligarchy rather than a parliament; for though the members nominally represented various constituencies they could not as a House be dissolved except by their own consent. In number they were comparatively few. On special occasions when some place of profit or of power had to be filled as many as a hundred and twenty or so might assemble. But the ordinary business of the country was transacted by as few as fifty or even forty members.²

The Committee of Both Kingdoms had been dissolved when Scotland and England took different sides with regard to Charles I, and the powers entrusted to it were exercised by the English members alone, who were known as the Committee at Derby House, where they were in the habit of meeting. This last-named Committee was now dissolved, and in its place the Council of State, consisting of about forty members, was

¹ *Trial*, p. 46.

² Bisset, *Commonwealth of England*, vol. I, p. 23.

appointed. This Council, of which Vane was a member, was charged with executive authority, but the Parliament desired to keep it under strict control. It was only to hold office from year to year, and in order to hinder ambitious projects on the part of its members the appointment of a President of Council was forbidden. In place of a President councillors acted in rotation as chairmen for a month at a time.¹

An indication of the trust reposed in Vane by the Council of State, and of the astonishing position of authority in the country which he now occupied, is given by his being appointed as one of five to consider the matter of foreign alliances. On 13 March the Council ordered: "That Mr Whitelock, Sir Henry Vane, Lord Lisle, the Earl of Denbigh, Mr Martyn, Mr Lisle, or any two of them, be appointed as a committee to consider what alliances this Crown hath formerly had with foreign States, and what those States are, and whether it will be fit to continue those alliances, or with how many of the said States, and how far they should be continued, and upon what grounds, and in what manner, applications and addresses shall be made for the said continuance."² It is interesting to notice that on the same day that this committee was appointed instructions were given to it to employ "a secretary for the foreign tongues," and that the person suggested for the office was John Milton. The latter had just published a pamphlet entitled *The Tenure of Kings and Magistrates*, in which he defended the deposition and execution of a cruel tyrant, and this doubtless drew the attention of the Council to him. His services were at once engaged and he held the office in question for some years.³

The whole condition of matters, so far as the Parliament was concerned, was quite abnormal, and all understood

¹ Whitelock, *Memorials*, p. 381: *Commons' Journals*, vol. VI, pp. 133, 143.

² *Order Book of the Council of State*, 13 Mar., 1649.

³ *Ibid.*, 15 Mar., 1649. Milton was appointed at a salary of £300 Sterling a year.

that it was only temporary. A dissolution of Parliament and a fresh election of representatives was absolutely necessary; but as long as many serious dangers threatened the infant Commonwealth it was impossible to follow this course. In a document entitled *The Agreement of the People*, presented by the army to Parliament, it was suggested that the latter should be dissolved on 30 April, 1649,¹ but, as matters turned out, the Parliament remained on until 20 April, 1653, when Cromwell dissolved it by force. As Whitelock says: "It was much pressed to set a time for dissolving this Parliament. Most of the House disliked to set a time, as dangerous; but agreed that when the business of the kingdom would permit, that then it should be dissolved."² The matter of providing for the succession of future Parliaments, of regulating elections, and of fixing the date for the dissolution of the present Parliament was formally assigned to a committee for consideration, and Vane was one of two members specially appointed to keep it in view;³ but, as we have said, the circumstances in which the country was placed hindered anything being done at present.

Both from Ireland and from Scotland dangers threatened the Commonwealth. In Ireland the Duke of Ormond, as King's Lord Lieutenant, signed a treaty with the Confederate Catholics, guaranteeing them the free exercise of their religion, and offering the country generally the complete independence of their Parliament. In return for these concessions the Confederates were to provide an army for the Royalist cause.⁴ In Scotland on the day after the news arrived of the King's execution his son, Charles, was proclaimed in Edinburgh as "King of Great Britain, France and Ireland," though the Parliament stipulated that he was not to be admitted

¹ Gardiner, *Civil War*, vol. III, p. 568.

² *Memorials*, p. 389.

³ Gardiner, *Commonwealth*, vol. I, p. 64.

⁴ *Ibid.*, vol. I, p. 14.

to the exercise of Royal power until he had subscribed the Covenants.¹

In the June of 1648, when the Parliamentary army was busily employed in stamping out "the Second Civil War," a mutiny occurred in the fleet in the Downs. Eleven ships, carrying two hundred and ninety-one guns and twelve hundred and sixty men, revolted from the Parliament, and under the command of Vice-Admiral Batten, crossed over to the coast of Holland. The latter was received with open arms by the Prince of Wales, who bestowed knighthood upon him.² Three months later Prince Rupert was appointed Admiral of this Royal fleet, and manifested the same brilliant military qualities as a naval commander which had distinguished him in his campaigns on land. His fleet haunted the North Sea and the Channel and the whole English coast. It captured many rich merchant ships, and in its zeal for plunder it made no deep scrutiny into their nationality. Hosts of privateers joined in this piratical employment, and the whole business was elaborately organized for the benefit of all concerned in it. Prince Charles received a fifteenth of the spoil, the admiral a tenth, while the rest was equally divided between owners of vessels, purveyors of stores, and crews.³

No sooner had the Commonwealth been founded than vigorous measures were taken for dealing with this ruinous and humiliating condition of things. This was a matter in which Vane was specially concerned. The Parliament decided, immediately after the King's death, to strengthen the navy by adding thirty merchant ships to it fully equipped for war.⁴ The Earl of Warwick was superseded as Lord High Admiral, and the powers which had been conferred upon him were transferred to the Council of State.⁵ As it was impossible for so

¹ *Acts of Parl. of Scotland*, vol. VI, part 2, p. 157.

² Granville Penn, *Memorials of Sir W. Penn*, vol. I, pp. 266-70.

³ Warburton, *Memoirs of Prince Rupert*, vol. III, pp. 250-97.

⁴ *Commons' Journals*, vol. VI, p. 129.

⁵ *Ibid.*, vol. VI, pp. 138, 149.

numerous a body to maintain an efficient supervision and control of matters, a Navy Committee, of which Vane was a leading member, was appointed to undertake this duty; while the actual direction of the fleet was committed to the care of Colonels Popham, Blake and Deane, with the title of commissioners.¹ The result of these arrangements was that a well-equipped navy was placed at the disposal of these able commanders, who made the period of the Commonwealth one of the most glorious in the history of our navy.

Blake's first attempt to cope with the Royalist fleet was unsuccessful. Rupert had been engaged on the east and south coasts of Ireland in co-operation with the Royalist land forces in that island, and Blake succeeded in blockading his vessels in the port of Kinsale; but after the delay of some months the latter's squadron was driven away by a storm, and Rupert made his escape and resumed his freebooting practices off the coast of Portugal. Thither Blake received orders from the Council of State to follow him in the spring of 1650, and Charles Vane, a brother of Sir Henry, was appointed to accompany him as an agent to the King of Portugal, John IV, to remonstrate with him with regard to the countenance and aid he had afforded to the Royalist fleet.²

Some idea of the dignity and power which clothed Sir Henry Vane as a statesman may be gathered from the "additional instructions" drawn up by him at this time for the guidance of Blake. "You shall remonstrate forthwith," they ran, "to the King of Portugal, that those ships now in his ports, *de facto* commanded by Prince Rupert are of a nature not capable of neutrality; for that they were part of the Navy of England, in the real and actual possession of the Parliament, armed, equipped, and furnished by them in their own ports;

¹ Ludlow, *Memoirs*, vol. I, p. 337.

² Gardiner, *Commonwealth*, vol. I, pp. 153, 202: Thurloe, *State Papers*, vol. I, pp. 140-6.

the mariners being also their own servants, hired by them, and placed in those ships in the immediate service of the Parliament, from which service, and from their duty, the said mariners have perfidiously apostatized and made defection; and as fugitives and renegades have run away with the said ships, and in the same as pirates and sea-robbers they have made depredations, and by adding to their number the ships by them taken were growing to a strength like to prove dangerous, to the interruption, if not the destruction, of all trade and commerce. That they are such fugitives and renegades as have not place in the world which they can pretend to be their own, nor have any port of their own whither to carry their prizes, and where to make show of any form of justice; but whatever they can by rapine take from any whomsoever, like so many thieves and pirates, they truck the same away, when they can get admittance for that thievish trade. And being as they are, *hostes humani generis*,¹ they may neither use the law of nations, nor are capable of protection from any prince.

“You shall signify the strict charge laid upon you by the Commonwealth of England to surprise² or destroy those revolted ships wherever you can find them.

“If the King of Portugal shall refuse or neglect to do you right in the premisses, then, for default of justice from him therein, you shall seize, arrest, surprise or destroy in the way of justice, all such ships, either merchant or other, belonging to the King of Portugal or any of his subjects, and secure the same and all the goods therein, and all the writings, in the same manner and form as by the instruction given you concerning the French, to be kept till the Parliament shall resolve what further directions they will give concerning them.”³

Similar instructions were given five days later to Popham in command of a second fleet for service in

¹ I.e., enemies of mankind.

² I.e., to take unawares.

³ *Order Book of the Council of State*, 20 Apr., 1650, S.P. office (quoted in Bisset's *Commonwealth of England*, vol. II, p. 81).

southern waters. We may perhaps be allowed to quote a paragraph from them in which Vane quotes words which, in ancient times, the Roman Senate used in conferring unlimited power upon consuls in dealing with dangers which threatened the State. "Whereas," he says, "all particulars cannot be foreseen, nor positive instructions for each emergent so beforehand given, but that many things must be left to your prudence and discreet management, as occurrences may arise upon the place, or from time to time fall out; you are, therefore, upon all such accident, or any occasion that may happen, to use your best circumspection, and, advising with your Council of War, to order and dispose of the said fleet, and the ships under your command, as may be most advantageous for the public, and for obtaining the ends for which this fleet was set forth—making it your special care, in discharge of that great trust committed unto you, that the Commonwealth receive no detriment."¹ The majesty of England resounds in these words. What a contrast between the determination they reveal to maintain the honour of the country, and the degradation with which the Stewarts made our people only too familiar!

On leaving Kinsale, Rupert proceeded with nine vessels to Lisbon, where he was received hospitably, allowed to sell his prizes, to refit his squadron, and to prepare to renew his piracy. Here he was blockaded with bulldog-like tenacity for seven months by Blake, during which time the Portuguese Government paid very dearly for their support of the Stewart cause. As remonstrances against their procedure were in vain the English admiral seized the fleet sailing for Brazil, and he threatened to seize the American fleet on its return if the Royalist vessels were not expelled from the Tagus. Nor did he confine himself to threats, but "he attacked a Brazil fleet of twenty-three sail as it was about to enter the

¹ *Order Book of the Council of State*, 25 Apr., 1650. Cf. *Videant consules ne quid respublica detrimenti capiat* (Cæsar, *B.C.*, I, 5).

Tagus, sank the Portuguese flag-ship, destroyed three other ships, and captured the Vice-Admiral and eleven large ships laden with the most precious cargoes."¹ On Blake's withdrawing to Cadiz to send home his prizes, Rupert escaped from Lisbon and entered the Mediterranean. Thither he was followed by his antagonist with relentless persistency in every place in which he took refuge, until his fleet was almost completely destroyed. For two years longer he managed to keep afloat and continue his depredations off the Azores and in the West Indies, but without being able to inflict any further serious injury upon English commerce. His brother, Maurice, who had shared his adventures, was lost at sea in the West Indies. Rupert himself survived to take a prominent part in the struggle with Holland in the reign of Charles II, and died in 1682.

¹ Bisset, *Commonwealth of England*, vol. II, p. 88.

CHAPTER XII

State of affairs in Ireland—Cromwell's campaign there—Proposals regarding election of a new Parliament—Vane's despondency regarding public affairs—Cromwell's campaign in Scotland—The risk of a great disaster—Battle of Dunbar—Vane's great services in naval matters—Relations with Holland—Proposal for union with England—Cromwell allows the Royalist army to invade England—Preparations there to resist it—The Council calls for Vane's services.

The task of establishing the rule of the Commonwealth in Ireland was one which Cromwell himself undertook, and though after nearly a year's arduous labours, he left much still to be done, yet full success was by that time assured. It does not fall within our province to give details of his campaign; but some reference to the circumstances connected with it is necessary for the completeness of our sketch of the period in question. The divisions and conflict in Ireland occasioned by differences both of race and religion, and by misgovernment, had to some extent died down, when the massacre of the English in 1641 took place.¹ No one can understand the condition of public feeling in England at that time who does not realize what was involved in that ghastly tragedy. The Indian Mutiny in 1857, with all its dreadful circumstances, stirred up profound feelings of righteous indignation and provoked heavy chastisement of the evildoers—a chastisement in which it is to be feared many innocent persons were implicated.

Carlyle, *Cromwell*, vol. II, p. 209: May, *History of the Parliament* (1647), II, 4.

But the massacre in Ireland involved a far greater number of victims than afterwards suffered in India, and it was carried out with at least equal atrocity.¹ Eight years had now passed and yet the crime had gone unpunished. Hence one of the first announcements which Cromwell made had reference to the fact that vengeance long delayed was now to be exacted. Some of the guilty were at present in arms for the Royalist cause. "We are come," said Cromwell, on arriving in Ireland, "to take an account of the innocent blood that hath been shed, and to endeavour to bring them to account who by appearing in arms seek to justify the same."

Ireland, ever since the time of the massacre, had been in a chaotic state of war and misery beyond the power of imagination to conceive or of pen to describe. The factions were numerous that contended with each other, and that came one after another to the front only to crumble away again or to be trampled down by something stronger than themselves. One was that of the Roman Catholics within the pale of English rule who virtually desired no political change, but demanded liberty of worship. A second was that of the Roman Catholics beyond the pale who demanded both it and freedom from the English yoke, and who found leaders in Papal nuncios and in chiefs of the old Irish race. A third was that of the Royalists under Ormond who were for the King and for Episcopacy. A fourth was that of Ulster for King and Covenant. While all these together were hostile to the sectaries who repudiated King and Covenant and were for the Commonwealth. "Conceive Ireland wasted, torn in pieces," to adapt Carlyle's words, "black controversy as of demons and rabid wolves rushing over the face of it so long . . . till here at last [in Cromwell's coming] we have the torrent of Heaven's lightning descending liquid on it."²

The prospects of the Commonwealth forces in Ireland

¹ Bisset, *Commonwealth of England*, vol. I, p. 124: Carlyle, *Cromwell*, vol. II, p. 223.

² *Cromwell*, vol. II p. 143.

at the time when Cromwell entered on his campaign were very unsatisfactory. One portion of the troops was in Londonderry and the other in Dublin, and both were being besieged by land. Cromwell's plan was to send relief to both these places and to land on the southern coast of Munster. It was on 12 July that he set out for Ireland by way of Bristol. A contemporary journalist gives us a graphic description of his departure from London. "He went forth," he says, "in that state and equipage as the like hath hardly been seen; himself in a coach [drawn by] six gallant Flanders mares, whitish gray; divers coaches accompanying him; and very many great officers of the Army; his Lifeguard consisting of eighty gallant men, the meanest whereof a Commander [officer] or Esquire, in stately habit; with trumpets sounding, almost to the shaking of Charing Cross, had it been now standing."¹

His plan of campaign was, however, changed in consequence of the news he received that the Commonwealth forces in Dublin, strengthened by the troops which he had sent on, had inflicted a serious defeat on the Royalist army under Ormond and forced him to raise the siege. He accordingly proceeded to Dublin and landed there on 15 August. Ormond had strengthened the garrison in Drogheda, and this town Cromwell determined to assail, as commanding the route by which the Royalists might receive reinforcements from the Presbyterians of Ulster. It was held by a garrison of three thousand men, nearly all English, and on its refusing to surrender, it was stormed. "Being in the heat of action," says Cromwell, "I forbade our men to spare any that were in arms in the town, and I think, that night they put to the sword about two thousand men."² The same appalling severity—to use no stronger term—was repeated a month later on the capture of Wexford; and though Cromwell in defending his procedure referred

¹ Carlyle, *Cromwell*, vol. II, p. 127.

² *Ibid.*, vol. II, p. 152.

to his stern measures as likely to prevent unnecessary effusion of blood, it is doubtful whether this result was attained. Some places surrendered from fear, but in others a bold defence was offered.

The proposals of the committee for regulating the order of future Parliaments, were presented on 9 January, 1650, by Sir Henry Vane after eight months' delay.¹ They are worth noticing in view of the highly controversial Bill in which they were afterwards embodied and which led Cromwell to dissolve the Long Parliament by force. In the document entitled *The Agreement of the People* which the officers of the army had presented to Parliament before the King's death, the suggestion had been made that the House of Commons should consist of four hundred members. This was a serious reduction, for the Long Parliament had originally consisted of five hundred members.² The four hundred seats it was left for Parliament to assign to the various counties, and to divide the number assigned in each case between the county and the towns within its boundaries. It is easy to be seen that this was virtually the suggestion of a Reform Bill which Vane brought forward. It prescribed the abolition of "rotten boroughs" which, as matters turned out, was not effected until nearly two centuries later in the Reform Bill of 1832.

The most important point in this committee's Report was the recommendation that sitting members for counties should retain their places, and that the vacancies should be filled up by the election of new members. This method of procedure was to take the place of a general election. In the actual Bill which was afterwards based upon this committee's Report it was proposed that the sitting members of Parliament, we presume for all places not disenfranchised, were to retain their seats, and that the vacancies only were to be filled up by special election of members. It was this that aroused

¹ Gardiner, *Commonwealth*, vol. I, p. 270.

² Burton, *Diary*, vol. IV, p. 179.

Cromwell's fury and secured the dismissal of those who seemed bent upon the perpetuation of their own authority. Yet we think that the proposal was not necessarily an indication of a self-seeking spirit on the part of the remnant of Parliament from whom it came. The circumstances were exceptional, and it may well have seemed to Vane and many of his colleagues that the scheme they supported was the only way by which to maintain a measure of continuity between the body which was the centre of legislative and executive power and the new assembly which was to succeed it, and to exercise its functions. In times before and after the Commonwealth a general election only meant one part, as it were, of the governing power being thrown into the melting-pot; but at the time with which we are concerned the dissolution of the House of Commons meant the utter disappearance of the Government. There was, therefore, as Vane passionately argued at a later date, a necessity for the retention of members of the existing Parliament in order to maintain a continuity of the authority by which government was carried on. To use Sir Henry Marten's witty figure, the Commonwealth was an infant, the existing House of Commons its mother, and, as in the case of Moses, the mother was the fittest person to be retained as nurse.¹ The committee's Report was discussed by Parliament, but no records of discussion are extant. The prospect of a war with Scotland rendered it impossible for any definite legislation with regard to the matter to be undertaken for the present.

On 26 May, 1650, Cromwell returned to England to meet the danger which overhung the Commonwealth from the Royalists in Scotland. He left Ireton to complete the subjugation of Ireland—a task which in course of time the latter succeeded in accomplishing. In the fresh campaign which Cromwell now undertook, Vane had a prominent part, as providing for the co-operation

¹ Clarendon, *Rebellion*, XIV, 6.

of the fleet with the land forces. The condition of alarm into which the prospect of a war with Scotland in present circumstances threw the leaders of the Commonwealth was very great. Fairfax, the commander-in-chief of all their forces, Cromwell being his lieutenant-general, was but half-hearted in his attachment to the new form of government, though, like Vane, he had pledged himself as a Member of Council to be faithful to it. Indeed, as a matter of fact, he resigned his command rather than undertake to invade Scotland.¹ Reference to his attitude is contained in the following report of a Royalist spy to Charles II, which also tells us of Vane's despondency at the present condition of matters. In a paper dated 20 May, 1650, a Colonel Keynes writes to say that he has information from a person "who dined on Saturday last with Sir Henry Vane the Younger, Mr Bailey, and Judge Thorpe, and was one who had formerly been theirs, though now converted, but did still comply with them, so feigned as not to make himself suspected, [who] told him for certain, that after dinner, being all four alone, they fell into discourse concerning their present condition; that Sir H. Vane said that they were in a far worse estate than ever yet they had been; that all the world was, and would be, their enemies; that the Scots had left them; their own army and general were not to be trusted; that the whole kingdom would rise and cut their throats upon the first good occasion, and that they knew not any place to go unto to be safe." He also adds that another of the company expressed his opinion that they would "find London also their greatest enemy when their army was drawn north, and wished it burnt to ashes to be secured of that fear."² Even if the report were exaggerated, it probably reflects Vane's thoughts and feelings at this time when the fate of the Commonwealth trembled in the balance.

The day on which Vane spoke the despondent words

¹ Gardiner, *Commonwealth*, vol. I, p. 290.

² *State Papers Dom.*, 1650, 10 May.

which we have quoted Montrose was condemned to death in the Parliament House in Edinburgh—a sentence carried out on the following day. He had invaded Scotland to rally together the Royalist party and to compel the Government to modify the terms they wished to impose upon Charles.¹ It was a desperate enterprise, and when it failed a death sentence was the inevitable result. The tragic element in the case was that at the very time when he had fought and lost his last battle, his Royal master had given up the whole struggle and had resolved to accept the yoke of the Covenants from which he had sent Montrose to try to deliver him. Two months later Charles was in Scotland as a Covenanted King. As it was certain that an attempt would be made by him to recover the English throne, the Council of State resolved upon an invasion of Scotland, to hinder an invasion of England. Fairfax, as we have said, resigned his commission as commander-in-chief on the ground of ill-health, and the office was conferred on Cromwell, who shortly afterwards began his campaign at the head of an army of sixteen thousand horse and foot. He marched by Berwick, Cockburnspath, Dunbar, and Haddington to Musselburgh, and found the enemy's army, far exceeding his own, lying between Leith and Edinburgh. In the operations that followed Cromwell was clearly out-manœuvred by Leslie. The latter persistently avoided an engagement and boldly seized every point of advantage that showed itself. His evident purpose was to starve out the enemy—"which is very likely to be," said Cromwell to the Lord President Bradshaw, "if we be not timely and fully supplied." The weather was bad, and the English troops, which were but poorly provided with food and shelter, began to fall ill. They retired to Dunbar in order to embark for England, if matters came to the worst. Leslie's troops pressed closely upon them and hemmed them in, and by seizing

¹ Carte, *Original Letters*, vol. I, p. 356; Napier, *Memoirs of Montrose* vol. II, p. 752.

the pass of Cockburnspath in their rear, cut off their retreat.

Cromwell now anticipated a great disaster, as only too possible. He wrote a letter to Sir Arthur Haselrig, Governor of Newcastle, to instruct him what to do to avoid panic and to meet the emergency when he should receive the bad news. It is interesting to notice that he makes special reference to Vane as the only person to be informed of the critical condition of matters.

"We are," he wrote, "upon an engagement very difficult.¹ The Enemy hath blocked up our way at the Pass at Copperspath, through which we cannot get without almost a miracle. He lieth so upon the Hills that we know not how to come that way without great difficulty, and our lying here daily consumeth our men, who fall sick beyond imagination.

"I perceive, your forces are not in a capacity for present release. Wherefore, whatever becomes of us, it will be well for you to get what forces you can together; and the South to help what they can. The business nearly concerneth all good People. If your forces had been in a readiness to have fallen upon the back of Copperspath, it might have occasioned supplies to have come to us. But the only wise God knows what is best. All shall work for Good. Our spirits are comfortable, praised be the Lord,—though our present condition be as it is. And indeed we have much hope in the Lord; of whose mercy we have had large experience.

"Indeed, do you get together what forces you can against them. Send to friends in the South to help with more. Let H. Vane know what I write. I would not make it public, lest danger should accrue thereby. You know what use to make hereof. Let me hear from you. I rest, your servant,

OLIVER CROMWELL.

"P.S.—It's difficult for me to send to you. Let me hear from you after you receive this."² "Let H. Vane

¹ This letter is dated "Dunbar, 2 Sept. 1650," the day before the battle of Dunbar.

² Carlyle, *Letters*, vol. III, p. 30.

know what I write: I would not make it public!" He had not yet come to pray "the Lord deliver me from Sir Henry Vane."

On the same day on which Cromwell wrote and dispatched the letter to Haselrig the way out of the difficulty was unexpectedly opened to him. The enemy, whose forces numbered some sixteen thousand foot and seven thousand horse, began to descend from the higher ground, to prepare for an attack upon the English army. Their right wing consisting of the main body of their cavalry, occupied an open space of ground and was exposed to attack both in front and flank, while their infantry was for the most part crowded together in narrow sloping ground where they had no room to manœuvre or to help their comrades. Cromwell's plan was to assail the right wing on both sides and drive it in upon the main body. He had but about half of the number of the troops opposed to him, but they were the very flower of the Puritan soldiery. At four o'clock in the morning the attack was made. It succeeded beyond expectation. The right wing of Leslie's army, after a stiff contest of three-quarters of an hour, was forced to give way, and at last to take to flight. The luckless Scottish cavalry in their wild career rode down their own infantry, and soon the whole army was scattered like leaves before the blast. The chase extended over eight miles, and as the result of the day's fight three thousand of the Scottish troops were killed and ten thousand taken prisoners. The victors lost but a few score men. In a letter to his wife Cromwell again refers to Vane, and he also gives us a glimpse of his own mood in the hour of victory. "The Lord," he says, "hath showed us an exceeding mercy:—who can tell how great it is! My weak faith hath been upheld. I have been in my inward man marvellously supported;—though I assure thee, I grow an old man, and feel infirmities of age marvellously stealing upon me.¹ Would my corruptions did as fast

¹ He was now only in his fifty-second year.

decrease! Pray on my behalf in the latter respect. The particulars of our late success Harry Vane or Gilbert Pickering¹ will impart to thee."²

The change in the political situation in Scotland wrought by the Battle of Dunbar was both speedy and widespread. The Covenanting party were disabled by the defeat, which was by no means unwelcome to Charles himself, and were forced to admit the Royalists to a share of political power. The more extreme members of the party repudiated the King on the ground of his insincerity in accepting the Covenants, and declined to fight any longer in his behalf, while the more moderate section were forced to co-operate with those who were indifferent or hostile to the Covenants and eager only to support the throne. The position of Charles had been more like that of a state-prisoner than a Sovereign, but now he was admitted to a certain measure of control of matters, and on 1 January, 1651, he was crowned King at Scone. At the same time the Royalist army that rallied to his help was able to delay Cromwell's progress, and to interpose a full year between the victory at Dunbar and that in the heart of England at Worcester, which finally shattered the present hopes of the King and his adherents.

It was just about this time, on the last day of 1650, that Vane, as we have said,³ gave up the treasurership of the navy, which he had held for nearly eight and a half years. As the office of treasurer was a life-appointment, he received an estate of the value of £1,200 Sterling *per annum* as compensation for the salary which he was resigning. He did not, however, sever his connexion with the navy, for he was a member of the committee of the Council of State which administered its affairs—

¹ Sir Gilbert Pickering was the poet Dryden's cousin and patron: he sat in the Long Parliament as member for Northamptonshire, and was appointed as a judge of the King, but did not act. He was a member of the Council of State, and is referred to in Milton's *Second Defence of the English People* as one of the most distinguished supporters of the Commonwealth.

² Carlyle, *Cromwell*, vol. III, p. 51.

³ See p. 76.

an office which he held until the day when Cromwell, by armed force, dissolved both the Parliament and the Council. It suited Cromwell's purpose then to calumniate those whom he injured, and to charge them with "injustice and delay of business, and with seeking to prolong their power and promote their private interest, and satisfy their own ambition."¹ It is a sufficient reply in the case of Vane to compare the condition of the navy while he was responsible for it with that into which it afterwards fell. His able and indefatigable services maintained the navy, as we shall see, in a most efficient condition and rendered it a powerful means for making the Commonwealth respected and feared in Europe. The change in matters when Vane was no longer in charge of naval affairs is plainly disclosed in a dispatch of Blake to the Admiralty and in the answer returned to him. On 11 March, 1657, he wrote from Cadiz: "Our fleet at present, by reason of a long continuance abroad, are grown so foul, that if a fleet outward bound should design to avoid us, few of our ships would be able to follow them up. I have acquainted you often with my thoughts of keeping out those ships so long, whereby they are not only rendered in a great measure unserviceable, but withal exposed to desperate hazards. . . . Truly our fleet is generally [i.e., for the most part] in that condition that it troubles me to think what the consequence may prove if such another storm, as we have had three or four lately, should overtake us before we have time and opportunity to repair. Our number of men is lessened through death and sickness, occasioned partly through the badness of victuals and the long continuance of poor men at sea. . . . Therefore I desire that, if you intend us to stay out this summer, or any considerable part thereof, that you will forthwith send us a sufficient supply of able seamen."² No help was sent him; nothing

¹ Whitelock, *Memorials*, p. 548.

² *Blake Despatches, Add. MSS.* 9304: *MS. Orders*, 2 May 1657, *Admiralty Office*: quoted in Dixon, *Robert Blake*, p. 344.

was sent but apologies and excuses. The Lords of the Admiralty said they were sorry to hear of his illness; sorry also to hear of the wretched state of his ships; but they could not promise him any immediate aid, because the Lord Protector's time was completely taken up with Parliamentary business, the great question of Kingship being then under consideration.¹ In the light of this contrast between the administration of affairs in the time of the Commonwealth and that in the time of the Protectorate, the charges of delay of business, of promoting private interests, and of satisfying ambition lose some of their weight. The condition of things as revealed in the correspondence between Blake and the Admiralty reminds one of that in the days of Charles II. It distinctly shows that Cromwell can claim less of the credit for the naval supremacy of England in his time than is popularly ascribed to him.

The relations of the English Commonwealth with the Dutch Republic were, unfortunately, very different from what might have been expected from the fact that in blood, religion, and form of government, the two nations had so much in common, and that both had struggled successfully to attain political freedom. In the half century which had passed since the Dutch had thrown off the yoke of Spain they had succeeded in establishing themselves not only as the greatest naval power in Europe, but also as the greatest which the world had seen, and had founded a colonial empire second only to that of Spain. Their merchant service was probably as great as that of all the other nations of Europe put together, and the carrying trade of the world was largely in their hands. They had control, too, of the whale, herring and cod fisheries, so that their power at sea was predominant. Their surpassing wealth enabled them to build a great navy, which they could man with well-trained seamen, and which was commanded by

¹ *Blake Despatches, Add. MSS.* 9304: *MS. Orders*, 2 May, 1657, *Admiralty Office*: quoted in Dixon, *Robert Blake*, p. 345.

admirals of notable ability and heroism. It was, therefore, no slight proof of the strength with which the struggle for political freedom inspires a nation that the Commonwealth of England, after the decrepitude which the country had shown in European politics since the Stewarts had held the throne, should have thought of disputing the supremacy at sea of their Dutch neighbours.

The constitution of Holland was rather that of a confederation of republics than a republic, and at this time its loosely constructed system of government had been still further disintegrated by the death of William II, Prince of Orange. He had been President of the confederation, and had been Statthalter in five of the seven provinces. At his death, by small-pox, on 6 November, 1650, he had no direct heir, but eight days afterwards his widow gave birth to the child who was, at a later date, to curb the power of France and to be called to occupy the British throne. During the time of his minority the Statthaltership was in abeyance, but the weakness thus occasioned by the lack of a central authority was largely compensated for by the ascendancy exercised by the rich and powerful province of Holland. William II was allied with the House of Stewart, as he had married a daughter of Charles I. Naturally enough in Holland public feeling was hostile to those who had put Charles to death, though there was no wish to go so far as to declare war against England.¹

There had been causes of quarrel between the two nations. As far back as 1623 the affair known as the "Massacre of Amboyna," in which some ten Englishmen had been summarily executed on a charge of treason, had excited extreme indignation in England and no redress for it had been obtained. This matter and other more recent alleged acts of oppression towards English subjects in the East Indies were now taken into consideration by the Council of the Commonwealth. In addition

¹ Gardner, *Commonwealth*, vol. I, p. 355.

to the above-named causes of irritation was the fact that the envoy of the English Government, Dr Dorislaus, who had taken part in the trial of Charles I, had been murdered by some of the Royalist refugees in Amsterdam, and that the guilty persons had not been apprehended.¹ Yet the Commonwealth, still struggling for its existence, was indisposed to provoke war with Holland, though fully determined to maintain the interests and honour of the English nation, and made friendly overtures to its neighbour.

Early in 1651 the English Parliament decided upon sending an embassy into Holland to propose an intimate political union between the two republics. The depression of the House of Orange seemed to open the way for this scheme which Vane strongly favoured, if he were not, indeed, the principal author and promoter of it. Oliver St John, now Chief Justice of the Common Pleas, and Strickland, who had already been an ambassador to Holland, were dispatched on this errand.² St John was an able lawyer who had first won fame by defending Hampden in the matter of refusing to pay Ship-money. "He was," Clarendon tells us, "a man reserved, and of a dark and clouded countenance, very proud, and conversing with very few, and those, men of his own humour and inclinations."³ Throughout the greater part of their political careers St John and Vane were in closest harmony. And so, it has been said, in the present scheme this dark and subtle spirit, which Clarendon has described, was the familiar—we know not if he were the confidant—of a spirit more powerful and subtle still.⁴

The time at which the embassy was sent was when matters were still uncertain in Scotland. Dunbar had been fought, but the Royalists were still undislodged from their strong position in the heart of the country, and Charles had been crowned King. The English Com-

¹ Gardiner, *Commonwealth*, vol. I, p. 73.

² *Ibid.*, vol. I, p. 357.

³ *Rebellion*, III, 32.

⁴ Bisset, *Commonwealth of England*, vol. II, p. 111.

monwealth was anxious to strengthen itself by this proposed alliance with Holland, but it is not surprising that the latter took the matter coldly, and scarcely disguised the opinion that the party seeking their friendship might not succeed for long in maintaining its existence. An imposing company of nearly two hundred and fifty persons attended the ambassadors and served to protect them from assassination. But they could not protect them from insult. Amsterdam was crowded with Royalist exiles, and the sympathy of the States of Holland was strongly on their side. The pretence of forbidding affronts to be offered to the ambassadors was made, but the trifling amount of the reward offered for the conviction of offenders showed how unreal it was, and was considered by the English authorities as adding insult to injury.¹

The request of the English ambassadors was "that the two Commonwealths may be confidential friends, joined and allied together for the defence and preservation of the liberty and freedoms of the people of each against all whomsoever that shall attempt the disturbance of either State by sea or land, or be declared enemies to the freedom and liberty of the people living under either of the said governments."² This, as interpreted by those who proposed the alliance, meant that the Dutch should expel the English Royalists from Holland and hold the Princess of Orange and her son responsible for any intrigues of English Royalists at their court. The obligation in question was, of course, mutual, but as Dr Gardiner remarks with a touch of humour, it was far more likely that the English would need the aid of Holland against Charles Stewart than that the Dutch would need the aid of England against their own infant prince.³ Consequently this proposal fell dead. On the other hand the Dutch in their turn proposed a full and unrestricted

¹ Gardiner, *Commonwealth*, vol. I, p. 359.

² *Ibid.*, vol. I, p. 362.

³ *Ibid.*, *Commonwealth*, vol. I, p. 362.

commercial union between the two nations—an offer by which it was absolutely certain that with their superior mercantile marine they would gain far more than they might lose.

And so negotiations were broken off. It was disappointing that those who prided themselves on their victory over tyranny should have treated so coldly the overtures of alliance offered to them by the new Commonwealth. The judgement pronounced upon their conduct by Hobbes, himself a Royalist, is severe, but may be true. "The true quarrel," he says, "on the Dutch part was their greediness to engross all traffic, and a false estimate of our and their own strength."¹ What exactly was the visionary project of Vane and his friends with regard to an actual political union between the two republics we do not know. It was never broached. Probably a much higher standard of political righteousness in both nations would have been required for effecting it than is commonly to be found in public life. St John's final speech before leaving Holland was ominous for the future relations between the two countries. It breathed a steady rage, all the more impressive from the cold, restrained manner in which we may well believe that it was spoken, and it doubtless excited a similar emotion in those to whom it was addressed. "My Lords," he said, "you have an eye upon the event of the affairs of Scotland, and therefore do refuse the friendship we have offered. Now, I can assure you that many in the Parliament were of opinion, that we should not have sent any ambassadors to you before they had put an end to the contest between themselves and that King; and then expected your ambassadors to us. I now perceive our error, and that those gentlemen were in the right. In a short time you shall see that business ended; and then you will come to us, and seek what we have freely offered, when it shall perplex you that you have refused

¹ Hobbes, *Behemoth*, p. 287.

our proffers.”¹ Nor were his words the mere expression of disappointment and irritation. Events proved that they were marked by a certain “prophetic strain.”

In the meantime Cromwell occupied Edinburgh, and proceeded to follow up his victory, with the result that soon he became virtually master of all Scotland south of the Forth, while Perth became the headquarters of the Scottish Government. The upshot of matters was that the Scottish army, nominally under the command of Charles II, but really under the leadership of David Leslie, took up a strong position at Torwood to the south of Stirling. Cromwell found it impossible with the troops at his command to dislodge the enemy, and failed to entice them to repeat the mistake made at Dunbar and come down into the open country. He accordingly determined to cross into Fife with the view of delivering a flank attack and of cutting off part of the enemy's supplies. On 20 July his troops, under Lambert, inflicted a severe defeat upon the enemy's forces at Inverkeithing, two thousand of them being killed and fifteen hundred taken prisoners. Cromwell now saw the way open for dislodging the Royalist army from Stirling by seizing Perth, and thus cutting off their supplies from the north, and he lost no time in carrying out his plan. In less than a fortnight after the battle at Inverkeithing he was in possession of Perth, and he had so altered the condition of matters that the decisive blow which he was desirous to strike was made possible. Yet, after all, it was not struck in Scotland, for Cromwell, by his last military operations, had left the way open into England, and this the Scottish army hastened to take. That Cromwell had anticipated this movement, or regarded it as possible, and laid his plans accordingly, there is abundant evidence to prove.

Cromwell, indeed, expressly says in a letter written from Leith on 4 August, and addressed to the Speaker of the English Parliament that he had of set purpose

¹ Hobbes, *Behemoth*, pp. 285, 286; Heath, *Chronicle of the Civil Wars*, p. 287.

allowed the enemy to make his way into England in order to avoid the endless toil and expense of another winter's campaign in Scotland. He also expressed his opinion that the forces of the enemy were dispirited, and that they were not likely at this juncture to receive much aid from English Royalists. He admitted that some would probably be alarmed at the entrance of an army of invasion into England, while the country was undefended; but he gave directions as to raising forces which might keep the enemy in check until his own arrival.¹

That there was alarm of the kind referred to in some quarters is certain,² but in Government circles there was no panic. Energetic endeavours were made to raise and arm troops, and such success followed them that a force was organized which would have had no hesitation in facing the invaders, even if Cromwell's anticipation of overtaking them, long before they had reached the capital, had been disappointed.³ A notice of Vane at this time has excited curiosity, and suggested to some that he was one of those who were keenly alarmed by the approach of the Royalist army, and in the order-book of the Council of State at this time we find an entry to the following effect: "That a letter be written to Sir H. Vane, to let him know that, in the present state of affairs, the Council are of opinion that his presence is necessary here; to desire him, therefore, to repair up hither with all convenient speed."⁴ The words seem to imply that he had left London, but give us no information as to whither, or on what errand, he had gone. Probably his services were needed in consultations as to the movements of war vessels at this time in order to co-operate with the land forces. There is no evidence here on which to base a charge of cowardice. If a witness to his freedom from this vice is needed we have one in Ludlow, himself a soldier, who had displayed his valour

¹ Carlyle, *Letters*, vol. III, p. 146.

² Mrs Hutchinson, *Memoirs of Col Hutchinson*, pp. 355, 356.

³ Bisset, *Commonwealth of England*, vol. II, p. 177.

⁴ *Ibid.*, vol. II, p. 168.

on many battlefields. In words which we have already quoted, he says that Vane added to many other admirable qualities "a resolution and courage, not to be shaken, or diverted from the public service."¹

A simpler and more probable explanation of Vane's absence from business at this anxious time than timidity is ill-health. Of this there is distinct mention in a letter to Cromwell, written during the week when Charles began his march from Stirling towards England. In it he says that his health and his private affairs had suffered through his constant attendance to public matters, and that as full arrangements had been made for the army, and as the House of Commons was at present largely engaged with matters of merely private interest, he might take a short holiday. The letter is very interesting, not only as disclosing the intimate and brotherly relations that had existed between the two men and Cromwell's good-humoured indifference to the mystical speculations in divinity that were so interesting to his friend, but also as foreshadowing the alienation that was so soon to arise between the two.

"The pay and provision for the army," he says, "being set in an orderly way till Michaelmas, and the House doing little but of private concernment, I could not think of a fitter season to go down for some time to my wife in Lincolnshire, than this vacation time, and when, I trust in God, affairs with you are growing into so good a posture that they will not require the continual attendance which hitherto I have not given way to any relaxation in, though to the manifest prejudice of my health and family concernments; and indeed, my Lord, it is not only necessary for my own sake, but convenient for others, who will thereby have the more room to carry on businesses in their own way, and who without continual contestation and brabbling² (which of all things are most grievous to me) will not suffer to be done things

¹ *Memoirs*, vol. II, p. 339.

² Is this Sir Hugh Evans's "prabbles" (*Merry Wives of Windsor*, iv, i, 52)?

that are so plain as that they ought to do themselves. Brother Fountain [i.e., Cromwell] can guess at his brother's meaning, which is not worth the trouble of putting into cipher, no more then [than] many other things which are reserved for your knowledge, whenever it please God we meet; and till then let me desire you, upon the score of ancient friendship that hath been between us, not to give ear to the mistakes, surmises or jealousies of others, from what hand soever, concerning your brother Heron [i.e., Vane], but to be assured he answers your heart's desire in all things, except he be esteemed even by you in principles too high to fathom, which one day, I am persuaded, will not be so thought by you, when by increasing with the increasings of God you shall be brought to that sight and enjoyment of God in Christ, which passes knowledge, and unto which the wonderful appearances of God in these times doth directly lead, and tend, as to the end of all those shakings and removals of things that are made,¹ which those late years have produced."²

The matter, therefore, is quite easily explained, and the reference he makes to disagreements with other members of the Council enables us to understand the somewhat peremptory tone with which the latter summon him to return to London. That Vane's absence from duty was not prolonged is evident from a minute in the same order-book which bears a date of four days later than that of his recall. Apart from this interest the minute itself is well worthy of record, as showing that even in this time of alarm the leaders of the Commonwealth were sufficiently self-possessed to pay all due respect to the memory of one of their noblest and most brilliant servants. We read that it was decided on 22 August, 1651, "That the Lord-Commissioner Whitelocke do report to the Parliament, that it hath

¹ A reference to Hebrews, xii, 27.

² Nickolls, *Letters and Papers Addressed to Cromwell*, p. 79. The date of the letter is 2 Aug. 1651: that of the Council's requesting Vane's attendance is 18 Aug. of the same year.

pleased God to take out of this life Colonel Edward Popham, late one of the Generals of the fleet of this Commonwealth: and that the Lord-Commissioner Whitlocke and Sir Henry Vane be desired to go to Mrs Popham from this Council to condole with her the loss of her husband; to let her know what a memory they have of the good services done by her husband to this Commonwealth; and that they will upon all occasions be ready to show respect unto those of his relations which he hath left behind him.”¹

¹ Quoted in Bisset, *Commonwealth of England*, vol. II, p. 176.

CHAPTER XIII

Royalist plot in London—Execution of the Rev. Christopher Love—Vane's anti-clerical proclivities—Charles II invades England—Battle of Worcester—Puritanism a spent force—Condition of affairs in France—Vane visits Paris—The Navigation Act—Causes of quarrel with Holland—War with Holland—Milton's sonnet to Vane—Defeat of Blake—English Navy strengthened—Blake victorious in the sea-fight off Portland—Vane on relations of Church and State.

In another letter written to Cromwell while he was in Scotland, Vane alludes to a tragical affair which greatly agitated London during the summer of 1651. Early in May of that year a small vessel had been driven, by stress of weather, into the harbour at Ayr, on her way to the Isle of Man, and Cromwell's garrison there, on overhauling her, made an important discovery of a Royalist plot against the Commonwealth. They found proof that English Presbyterians as well as Cavaliers proposed to co-operate with Charles and the Scots to overthrow the Government. The vessel carried letters regarding the matter to the Earl of Derby¹ with the object of securing his co-operation.² In this plot some of the London Presbytery were involved, and among others, the Rev. Christopher Love, a popular young preacher, who was incumbent of the church of St Lawrence Jewry. Love's share in the matter was clearly proved in spite of his evasive declarations. The con-

¹ The Earls of Derby were Kings of Man.

² Bates, *History of the Late Troubles*, part II, p. 115.

spirators had met in his house, money collected for the cause had been laid upon his table, and letters to and from confederates had been read in his presence. He was tried and condemned to death. Great exertions were made after he received sentence to save his life. Petitions in his favour were presented, and he was respited more than once in order that the matter might be referred to Cromwell.¹ Both sides wrote to the latter to secure his support. Vane was in favour of severity in dealing with the case, and had been teller in the House when a motion granting respite for a month had been carried by a small majority. In his letter to Cromwell he says: "My Lord, my last troubled you with a short account of Mr Love, and our debates concerning him. I shall only add this much, that I am daily confirmed in my own opinion that he and his brethren do still retain their old leaven, and are not ingenious [ingenuous] at all towards us, whatever they pretend; but have dexterity enough to take us on our weak side, thinking thereby to save themselves entire in their principles, and gain time while [?] until] this decisive work in Scotland is over; for it is plain unto me that they do not judge us a lawful magistracy, nor esteem anything treason that is acted by them to destroy us, in order to bring the King of Scots as head of the Covenant. Yet whilst such, they hold up their party in the face of us, and, for their better encouragement meet with clemency and favour from us; into which you are much depended upon to cast in also your influence, to balance your brother Heron, who is taken for a back friend to the blackcoats."² Cromwell gave no reply, and on 22 August, the day on which Charles, in invading England, as we shall tell, entered Worcester, Love was beheaded on Tower Hill. Stern though Vane had been in the matter, no one can say that the conspirator did not deserve his fate, unless, indeed, by holding that the

¹ Whitelock, *Memorials*, p. 503; *State Trials*, vol. V, pp. 43-294.

² Nickolls, *Letters and Papers Addressed to Cromwell*, p. 84.

Government of the Commonwealth had no claim to the allegiance of the nation.

The concluding phrase of the part of the letter we have just quoted is somewhat curious, and accounts for some part of Vane's unpopularity. He was reputed to be "a back friend to blackcoats." He was of Milton's opinion, that "new Presbyter was old Priest writ large," and was thought by many to be somewhat of an anarchist in religious matters. So Baxter seems to have regarded him. Milton had spoken of Vane as Religion's "eldest son": Baxter says of him, "he hath done this poor nation and religion so much wrong, that we and our posterity are like to have cause and time enough to lament it."¹ Perhaps some exaggeration attaches to both estimates.

The army with which Charles II left Stirling on 31 July, 1651, was about twenty thousand in number. They marched south by Biggar and Carlisle, and then through Lancashire. As Cromwell had anticipated, their hope of being joined by numerous English recruits proved to be utterly fallacious. The invaders were regarded as foreigners, and the national spirit was roused to resist them. In every market town they proclaimed Charles II as King, but, as a rule, those who heard them declined to recognize the commander-in-chief of a Scottish army of invasion as their Sovereign. Southward through Lancashire they marched, under strict discipline, so that no outrages were committed by them nor injury done to the country; but they were divided among themselves by keen political differences between Cavaliers and Covenanters. Nowhere did they receive accessions while the forces that were hastening to oppose them were joined daily by well-armed and well-equipped reinforcements. At Warrington they narrowly escaped being intercepted by a large body of cavalry under Harrison and Lambert. Here it was determined not to take a direct course to London, but to march near the

¹ *Reliquiæ Baxterianæ*, part 1, p. 76.

Welsh border with the hope of obtaining recruits—Wales having favoured the Royalist rather than the Parliamentary cause. After vainly summoning Shrewsbury to surrender they entered Worcester, from which the enemy's garrison had retired. The town authorities welcomed them, as the Mayor and Corporation were Royalist in their sympathies, but they provided no material aid for the invaders and procured no recruits for them. In Worcester but little time was given them for the rest which they greatly needed after their laborious march or for preparation to resist attack.¹

The course taken by Cromwell in his pursuit of the Scottish army was through York, Nottingham, Coventry and Stratford-on-Avon. When he arrived at Worcester his forces, including the regiments he brought from Scotland and the county militias which had risen at his summons, numbered over thirty thousand men, as against those of the enemy, which had fallen to sixteen thousand.

In these circumstances, on the afternoon of 3 September, the anniversary of Dunbar, the Battle of Worcester² was fought, and the Royal cause was heavily defeated. The fight was a most desperate one, and for four or five hours victory trembled in the balance. In his report of the battle Cromwell says: "The slain are very many. . . . There are about six or seven thousand prisoners taken here; and many officers and noblemen of very great quality: Duke Hamilton, the Earl of Rothes, and divers other noblemen,—I hear, the Earl of Lauderdale; many officers of great quality; and some that will be fit subjects for your justice. . . . The dimensions of this mercy are above my thoughts. It is, for aught I know, a crowning mercy."³ The sufferings of many of the prisoners were severe in the extreme. Some perished from want of food and from jail-diseases,

¹ Gardiner, *Commonwealth*, vol. I, pp. 431-8.

² Cromwell afterwards died on the same day of the same month.

³ Carlyle, *Cromwell*, vol. III, p. 157.

while large numbers of the survivors were handed over to contractors who employed them to labour in draining the Fens, or were shipped for the plantations and sold as slaves.¹ Very few of the army that invaded England ever found their way back to their native country. Charles II, after many romantic adventures, succeeded with difficulty in escaping to the Continent, there to spend nine weary years in exile.

Immediately after the Battle of Worcester steps were taken by the English Parliament for incorporating with England that part of Scotland which was subject to their forces; but this summary method of procedure was superseded by an endeavour to bring about a union of the two countries. In the December of 1651 the English Parliament appointed eight commissioners, among whom were included St John, Vane, Monck and Lambert, to settle the affairs of Scotland, to provide for the administration of justice, and to deliberate with representatives of counties and boroughs with regard to a union with England.² The commissioners took up their residence at Dalkeith Castle, and a considerable amount of state accompanied their public proceedings. Thus we read, in connexion with a public intimation of "the cross [the Town-Cross of Edinburgh] being hung with rich tapestry, and aucht trumpeters thereon sounding with silver trumpets three several times before the proclamation, and another crying three oyesses before the same."³ Though every effort was made to persuade the people of Scotland of the advantages of the proposed union, the matter was regarded with apathy by them. In the end the majority of the counties and burghs consented to the union, and it was agreed that thirty members for Scotland should sit in Parliament, as against four hundred for England. Some time elapsed

¹ Bisset, *Commonwealth of England*, vol. II, p. 205. Vane and Cromwell were members of a committee of over twenty of the Council of State for disposing to plantations of prisoners taken at Worcester (*Ibid.*, vol. II, p. 209).

² Whitelock, *Memorials*, p. 517.

³ Nicholl, *Diary*, p. 79.

before these arrangements were accepted and confirmed. Indeed it was not until 1654, after the Long Parliament, that authorized the proceedings, had been forcibly dispersed by Cromwell, that an ordinance of the Supreme Council of the Commonwealth ratified the union in question.¹ In the first Parliament of the Protectorate which was held in that year, twenty representatives of Scottish counties and ten of Scottish burghs took their places. One great advantage of the union was the freedom of trade with England which it secured—a boon which was scarcely estimated at its true value until it was lost at the Restoration. But in many other ways besides this the benefits of the new arrangement were felt by the people of Scotland. Burnet says: “There was good justice done: and vice was suppressed and punished. So that we always reckon those eight years of usurpation a time of great peace and prosperity.”²

With the Battle of Worcester Puritanism may be said to have spent itself as a political force. What had been done in overthrowing despotism in the State and in reforming the Church, had been largely inspired by religious principles and spiritual emotions. The series of military victories which had been won by those whose battle-cry was “The Lord of Hosts”³ was now complete. Cromwell, in announcing the tidings of Worcester, unconsciously indicated the accomplishment of the enterprise to which his labours and those of his party had been devoted, by speaking of the battle as “a crowning victory,” and by saying “I am bold humbly to beg, That all thoughts may tend to the promoting of His honour who hath wrought so great salvation.”⁴ A fresh phase of English public life is now opened. The question as to the particular form of government to be maintained or set up in England, the matters of commercial rivalry with Holland, of alliance with France or with Spain,

¹ Whitelock, *Memorials*, p. 592.

² *History of My Own Time*, vol. I, p. 109 (ed. Airy).

³ The actual battle-cry at Dunbar.

⁴ Carlyle, *Cromwell*, vol. III, p. 158.

and of the increase of English Colonial territory, belong to a mundane realm with which the spiritual aspirations and beliefs of Puritanism have no direct connexion. One can understand, even if one does not fully sympathize with the use of religious phraseology in connexion with the long conflict of the Puritans with their foes; but from the moment of their triumph such use becomes inappropriate when applied to their differences among themselves, or to the course of secular politics, often sordid, and sometimes morally indefensible, on which they entered when they took into their hands the government of the nation and the guidance of its foreign policy. Yet though the movement in question may be said to have spent itself, it had secured very real and permanent results. Charles II was not restored as an absolute but as a constitutional Sovereign, and attempts made by him and by his successor to escape from this position only led to a clearer and more forcible declaration of the fact in the Revolution of 1688. Nor is it without use for us to recognize the course events took. In our survey of the time we have seen the origin of the movement and followed its progress, and we can mark its subsidence, after it has done its work and secured lasting benefits for the nation and for the world.

It was not to be expected that the series of events in England, by which the despotic power of the Crown had been opposed and finally beaten down, could be without influence upon the people of France. The two countries were too near each other and were connected by too many ties for the currents of their political life to be kept wholly apart. In France, too, all the elements existed out of which a revolution, such as that accomplished in England, had sprung—despotism, religious discord, the pride of the nobility, the turbulence of the populace, and the unwillingness of Parliaments and of municipalities to permit encroachments upon, or violations of, their privileges. As a matter of fact the proceedings in England were watched with intense

interest by their French neighbours. The result of matters was that France was for a time plunged into disorder and into civil war, out of which, unfortunately, it did not gain the definite and lasting benefits that were secured on this side of the Channel.

On 14 May, 1643, while England was in the throes of civil war, Louis XIII died and left his throne to a child hardly five years old, who afterwards attained to such a marvellous degree of power and splendour as the Grand Monarque. The condition of France during the early years of the regency of Anne of Austria was, on the whole, quiet and prosperous. But the rapacity, wastefulness and misgovernment of Mazarin lead to serious financial embarrassments which aroused public discontent, and provoked armed resistance. The nobles, who had been kept down by the heavy hand of Richelieu, chafed against any attempts on the part of his successor to continue his policy in that respect, while the Parliament of Paris boldly criticized and endeavoured to control the acts of Government. The sudden and extraordinary combinations of parties and the sanguinary struggles to which they led form one of the strangest and most inexplicable episodes in French history. Our present concern with the matter arises from the fact that at one point both Cromwell and Vane appear upon the scene.

In the autumn of 1651 Cromwell received an appeal for help from the Prince of Condé, who was in revolt against the French Government. He asked for a subsidy of £100,000, and for the aid of an army of twelve thousand men. This amazing request can scarcely have seemed to the English general as deserving a serious reply. At any rate he seems to have replied to it by half jocularly declaring that he would come with an army of forty thousand infantry and twelve thousand horse, if he could be sure that France would be at the end republican and Protestant. This consummation being out of the question, the proposed intervention came to nothing. A second suggestion was made by Condé, and it was to

the effect that he was willing to put Rochelle into the hands of an English garrison, it is to be presumed with the idea of making it the basis from which the Protestant interest in France might be strengthened. Cromwell, however, after considering the matter, and examining the map of France, declined to enter into the scheme.¹ Yet, as he was inclined to embarrass the Government of France, which protected the exiled Stewart family, he resolved to open negotiations with the popular and anti-Court party in Paris. The person with whom he communicated was the Cardinal De Retz, coadjutor archbishop of Paris, whose turbulent opposition to the Court, and whose leadership of the populace of the capital made him one of the most notorious personages of his time.

Vane, who had already been described by Bellièvre, the French ambassador to England, as the only man in the House of Commons who understood European politics,² was dispatched to Paris to come to an understanding with the Cardinal. In the latter's famous *Mémoires* we have a description of the interview between the two; and it is interesting to learn the impression which the English statesman made upon his distinguished contemporary. "On returning home close on eleven o'clock at night," says the Cardinal, "I met a certain Englishman named Tilney, whom I had formerly known at Rome. He told me that Vane, a prominent member of Parliament, and an intimate friend of Cromwell's, had just arrived in Paris, and that he had instructions to call on me. I found myself in a little difficulty in the matter; yet I did not consider that I ought to refuse the interview requested. Vane gave me a note from Cromwell, which was merely a letter of introduction. It stated that the opinions which I had expressed in the defence of public liberty, together with my general reputation, had suggested to Cromwell the plan of

¹ Gardiner, *Commonwealth*, vol. II, p. 90.

² *Montercul Correspondence*, vol. II, p. 145.

forming a close alliance with me. The proposal was set off with all the compliments, offers and schemes that you could conceive. I replied respectfully; but I neither said nor did anything unworthy of a true Catholic and a good Frenchman. Vane seemed to me a man of astonishing ability (*d'une capacité surprenante*)."¹ The Cardinal continued for some time to correspond with the Government of the Commonwealth, but nothing came of the negotiations between them.² Cromwell's foreign policy was inseparably connected with the maintenance of the Protestant cause, and this was a matter in which De Retz could not be expected to be in sympathy with him.

It seems at first a very strange and almost inexplicable thing that two nations like England and Holland, regarding which Vane and other prominent Englishmen cherished a project of union, should have immediately thereafter engaged in a desperate life and death struggle; and it is worth our while to pause for a moment to inquire into the cause of war between them. There can be no doubt that the real explanation of matters is that the English nation felt that its very existence as a maritime power was at stake, and believed that it was now strong enough to make a stand against those who at present held supremacy at sea. The import and export trade of Europe was largely in Dutch hands, and it seemed to many in our own country that unless the English merchant-service were protected in some special way, it was in danger of being altogether ruined.

The first step taken in this direction was in the Navigation Act, passed soon after St John's return from Holland. This Act forbade goods to be brought from Asia, Africa or America into any English port or colony, unless in ships owned by Englishmen or English colonists, and manned by crews one half of whom at least were English

¹ *Mémoires* (ed. 1825), vol. II, p. 151. De Retz spells Vane's name as Vaire, and dates this interview a year too early.

² "Scot's Confession": *Eng. Hist. Rev.*, Jan., 1897.

by birth. Imports from any European country might be brought into England only in English vessels or in vessels belonging to the country in which the goods had been produced or manufactured. This, of course, struck a heavy blow at the Dutch carrying-trade, and virtually forbade any goods to be brought from Holland in Dutch vessels except the butter and cheese manufactured there.¹ This measure was certainly calculated to limit Dutch trade, but it applied solely to imports. In the reign of Charles II it was completed and rendered more deadly by like regulations being applied to exports. Like all such measures of protection it raised prices on English purchasers, and promised certain immediate advantages, at any rate to the mother country. It hindered, however, the development of colonial industries and trade.

This measure, though viewed with grave apprehension by the Dutch, does not account for the war. Quite as serious, or even more serious in their view, was the fact that the English Government in another matter were acting on a principle which threatened to wreck the trade of Holland with France also. Though England and France were not at this time formally at war, French privateers preyed on English commerce, and British privateers were fitted out and authorized to make reprisals on French commerce. The Dutch had recently embodied the rule in a treaty with Spain that in case of war the goods of an enemy, provided they were not contraband of war, might be carried in a vessel belonging to a neutral country. This is the rule which prevails to the present day; but at the time of which we are speaking it had not been adopted by the English Government. Dutch vessels trading with France were

¹ Gardiner, *Commonwealth*, vol. II, p. 82. Adam Smith defends the Act in question. "National animosity," he says, "at that particular time, aimed at the very same object which the most deliberate wisdom would have recommended, the diminution of the naval power of Holland, the only naval power which could endanger the security of England. . . . As defence is of much more importance than opulence, the Act of Navigation is perhaps the wisest of all the commercial regulations of England" (*Wealth of Nations*, book IV, chap. 2).

liable to be overhauled and plundered. The fact that the vessel might be given back, and even some compensation allowed for delay, did not remove the grievance; for no French merchants would care, in the circumstances, to entrust their goods to Dutch carriers.¹

In addition to this the claim to sovereignty over the British seas was made by the English Government. This claim, only to be maintained by an overpowering naval predominance in those waters, was not likely to be tamely admitted by the Dutch, involving as it did payment of tribute for fishing in them, and the dipping of flags and sails on the part of strangers on meeting an English man-of-war. How far the British seas extended was, of course, an uncertain matter; but at a little later time, in the days of Richard Cromwell, they were cheerfully defined as any part between the English coast and the Skager Rack.² When all these circumstances are taken together and we add to them the complaints of the English nation for ill-treatment of its subjects from the date of the Amboyna Massacre down to the insults recently offered to St John and Strickland, we can easily see that ample material existed for a furious contest between the two peoples.

Whilst the Dutch ambassadors were still in London engaged in negotiations which might possibly have led to peace, Tromp, the famous Dutch admiral, was instructed by the States General to proceed to sea with his fleet. They asked him what his practice had been with regard to striking to the English flag in English waters, and he replied that he had only done so when his fleet was the weaker of the two. No definite instructions were given him on this point, with the result that the power of beginning war was put into his hands. Soon afterwards the fleets met, and that of Tromp was the stronger of the two. In the course of the parley regarding striking the flag, he fired a broadside, which brought about a

¹ Gardiner, *Commonwealth*, vol. II, p. 108.

² Richard Cromwell's own words (Thurloe, *State Papers*, vol. VII, p. 633).

general engagement, in which he was worsted.¹ Great indignation was excited throughout England by what was regarded as a treacherous proceeding on the part of the Dutch admiral, and the result was that a war was formally declared between the two nations, which lasted for almost two years. It was carried on with varying success and with dogged persistency on both sides, but in the end the Dutch were defeated and compelled to accept a humiliating peace.

From the first Vane, and, indeed, Cromwell also, had been opposed to war with Holland. The latter said, immediately after the first encounter between the hostile fleets, "I do not like the war, . . . I will do everything in my power to bring about peace."² They both were anxious to re-open negotiations before matters had gone very far in the way of conflict, and a year later they welcomed an overture from one of the States of Holland to consider the question of peace. But nevertheless Vane did not relax his zeal and energy in supporting those who were employed to maintain their country's honour upon the sea. His biographer Sikes, after speaking of his skill in deciphering the policy of hostile powers, praises him as an administrator. "The next branch," he says, "of his publick usefulness in a political capacity was his most happy dexterity at making the best of a war. Armies are to small purpose abroad, unless there be sage Counsel at home. He heartily laboured to prevent a war with Holland, but the sons of Zeruah, a military party, (that too much turned war into a trade), were too many for him in that point. He therefore set himself to make the best of a war, for his country's defence. In this War, after some dubious fights, (while the immediate care of the fleet was in other hands), he with five others was appointed by the Parliament to attend that affair. Hereupon he became the happy and speedy contriver of that successful fleet that did our work in

¹ Gardiner, *Commonwealth*, vol. II, p. 115.

² *Ibid.*, *Commonwealth*, vol. II, p. 128.





SIR HENRY VANE THE YOUNGER BY FAITHORNE

a very critical season, when the Hollander vapoured upon our seas, took prizes at pleasure, hovered about our ports, and was ready to spoil all. His report to the House, as to the Warships by him recruited, ordered, and sent forth in so little time to find the enemy work, seemed a thing incredible."¹

It is to this period of his life that Milton's *Sonnet to Sir Henry Vane the Younger* belongs. Sikes gives it as "a paper of verses, composed by a learned gentleman, and sent him on 8 July, 1652."² This was at the time when the country was hot with indignation at the supposed treachery of the Dutch in attacking our vessels while negotiations for peace were going on. This probably explains the allusion to "the drift of hollow states hard to be spell'd." The whole sonnet is as follows:

Vane, young in years, but in sage counsel old,
 Than whom a better senator ne'er held
 The helm of Rome, when gowns not arms repell'd
 The fierce Epirot and the African bold,³
 Whether to settle peace or to unfold
 The drift of hollow states, hard to be spell'd;⁴
 Then to advise how war may best upheld
 Move by her two main nerves, iron and gold,
 In all her equipage: besides, to know
 Both spiritual power and civil, what each means,
 What severs each, thou hast learn'd, which few have done.
 The bounds of either sword to thee we owe;
 Therefore on thy firm hand Religion leans
 In peace, and reckons thee her eldest son.

As this sonnet of Milton's is of great interest we are sure that our readers will pardon our digressing to give the history of it. It was not published in Milton's

¹ *Life of Vane*, p. 96.

Ibid., p. 93.

³ I.e., Pyrrhus and Hannibal, overcome by the wise counsels of the Senate rather than by force of arms.

⁴ That there is a special reference here to Holland is made clear by Sikes. He says: "Yet that he [Vane] could conjecture and spell out the most reserved consults and secret drifts of foreign councils against us (which they reckoned as *tacita*, concealed till executed), the Hollander did experience to their cost" (*Life*, p. 96).

lifetime, but was, as already mentioned, written by him and sent direct to Vane himself. In 1662, the year of the latter's death, when Sikes published his biography, it was not safe to mention Milton's name as that of an admirer of the republican hero, and so the author of the sonnet is merely described as a "learned gentleman." A collected edition of Milton's minor poems was issued in 1673, but four of his sonnets were omitted from them—that to Vane and those to Cromwell and Fairfax, along with that to Cyriac Skinner in which the poet speaks with satisfaction of his *Pro populo Anglicano defensio*. These four sonnets were first published after the Revolution in 1694. They appeared, very incorrectly printed, at the end of Philips's *Life of Milton* prefixed to the translation into English of Milton's public letters. They are also inserted by Toland in his *Life of Milton* (1698). Tonson omitted them in his editions of Milton's poems, published in 1695 and 1705, but inserted them in the edition which he brought out in 1713. It is a striking testimony to the intense unpopularity which the republican movement evoked that these noble poetical compositions of its laureate should not have been allowed to appear in his collected works until about sixty years after they had been written.¹

The episode to which Sikes makes special reference as a remarkable illustration of Vane's services to the State during the war with Holland deserves a fuller notice. Towards the end of 1652 Blake had been asked by the Council of State to detach twenty of his vessels for service in the Mediterranean, on the understanding that they would be replaced at an early date. In the meantime, by making this arrangement, he was seriously crippled for undertaking any encounter with Tromp. In spite of all the vessels which had been built for the navy, and of the prizes which had been added to it,

¹ It is interesting to notice that Sikes himself was a subscriber to the folio edition of Milton's *Poems* brought out in 1688 by Lord Somers, with the help of Atterbury and Dryden.

additional vessels were needed. Yet money was lacking not only for providing new ships, but even for paying the seamen of the existing navy and for supplying them with food. The result was that while plenty of men could be found for privateers sailing out of the Thames, Government vessels were largely under-manned. It was in these circumstances on 24 November, 1652, that Blake encountered Tromp's fleet between Dover and Calais. In the battle off Dungeness which ensued, twenty of Blake's ships took no part, evidently because there were not sufficient men to work them; so that he was left with twenty-five vessels to meet Tromp's eighty-five. After a brave struggle he retired, leaving the honours of the day with his opponent.¹

The first sentence of Blake's report of the defeat is very beautiful. "Right Honourable," he says, "I presume your Honours do long for an account of what hath passed between us and the Dutch fleet; and I hope you have hearts prepared to receive evil, as well as good, from the hands of God." He then goes on to demand an inquiry into the conduct of those in command, and to suggest some of the causes which had contributed to the defeat, especially the lack of a sufficient number of seamen. He also offers to lay down his own command and to make way for Deane and Monck, whom the Council had lately appointed to aid him. His proposal to resign was, of course, rejected. But every effort was made to strengthen his hands, and to provide a fleet fit to encounter that of Holland.

Vane brought the navy estimates before the House, and it was resolved to devote £40,000 Sterling a month to the navy, £10,000 of which was provided by disbanding part of the army and using a portion of the assessment which had been hitherto applied to it.²

¹ G. Penn, *Memorials of Sir William Penn*, vol. I, pp. 458, 459. It is in connexion with this victory of Tromp's that the story is told of Tromp's fastening a broom in his main-top as if to sweep the Channel. The story is not well authenticated, and is inconsistent with Tromp's known character.

² *Commons' Journals*, vol. VII, p. 228.

The most strenuous endeavours had to be made for raising funds for military and naval purposes. The sale of royal lands and of ecclesiastical property, and the fining of delinquents, who in former days had supported the cause of King and Church, were vigorously carried on. Indeed, had it been practicable to sell royal palaces and cathedrals they would have been turned into money at this time. Vane actually brought in a Bill which was twice read, to sell Windsor Park, Hampton Court, Hyde Park, Greenwich Park, Enfield Castle and Somerset House, and to devote the proceeds to naval purposes.¹ The upshot of matters was that in little more than two months' time Blake was furnished with a fleet of seventy ships, and a most furious naval battle took place off Portland with a Dutch fleet of equal number under Tromp. The fight lasted for three days (18 to 20 February, 1653). In it the English were victorious, and the command of the Channel passed into their hands.²

The sonnet which Milton addressed to Vane lays stress upon his knowledge of the bounds that sever spiritual and civil power, or, in other words, of the relation which the State should hold to the Church. Both Vane and Milton were at one in this matter, and were opposed to the erection or the maintenance of a State Church. The question came up early in 1652, when a Committee for the Propagation of the Gospel, appointed by Parliament, brought in a scheme for settling ecclesiastical questions. It prescribed the method by which the Established Church was to be governed, afforded toleration to certain dissenters and withheld it from others.³ Vane was distinctly opposed to any limitation of religious liberty, and was in favour of the voluntary principle with regard to the maintenance of religious ordinances. Both the Roman Catholic⁴

¹ *Commons Journals*, vol. VII, pp. 239, 245. The Little Parliament stayed the sale of Hampton Court (*Ibid.*, vol. VII, p. 324).

² Dixon, *Life of Blake*, p. 232.

³ Gardiner, *Commonwealth*, vol. II, p. 28.

⁴ Lingard, *History*, vol. VIII, p. 195; *Commons' Journals*, vol. VI, p. 138.

and the Socinian¹ were within the pale of his sympathy, deeply though he disagreed with the characteristic doctrines held by them.

Vane's foundation principle that the civil magistrate had no right to intrude into the region of religion or of the conscience, and that his office was to administer justice, impartially to all, of itself forbade the establishment of any one form of religion. In his *Retired Man's Meditations*, published in 1655, he states this principle in luminous terms. Speaking of "the Rule of Magistracy" as an ordinance of God, he says: "We are to understand by this terme, the proper sphere, bounds, and limits of that office, which is not to intrude itself into the office and proper concernes of Christ's inward Government and rule in the conscience, but is to content itself with the outward man, and to intermeddle with the concernes thereof in reference to the converse which man ought to have with man, upon the grounds of natural justice and right, in *things appertaining to this life*,² wherein the Magistrate or higher power is not only the proper Judge, but hath the right of coercion thereunto, if not obeyed, and the more illuminated the Magistrate's conscience and judgment is, as to natural justice and right, by the knowledge of God and communications of light from Christ . . . the better qualified is he to execute his office, and the more accountable he is to God and man in default thereof."³

The experience of public life which Vane had had during his tenure of office in Massachusetts had convinced him of the validity of this principle, and once he had learned the truth he held it with firm hand. The whole history of the relations between Church and State seems calculated to impress upon an open mind the fact that Vane had reached the truth with regard to this matter. The explanation of there being but few in his

¹ Toulmin, *Life of Biddle*, p. 28.

² The italics merely mark a Scriptural quotation.

³ P. 388.

day who sympathized with him, was that he was a pioneer penetrating into a new region of human thought. The principle is by no means universally held even in our own day; but there are indications that it is winning its way to universal acceptance. The fact that in no new colony in modern times is the establishment of any one form of religion ever mooted, and that the policy of disestablishment approves itself to many, both in the interests of justice and in that of religion itself, testifies to the vitality of the principle which Vane accepted so long ago and held with such unfaltering tenacity.



CHAPTER XIV

The question of the election of a new Parliament revived—Vane's report on the matter—Increasing exasperation of the army against the Parliament—Vane's proposal to sell the Royal palaces—His strengthening the navy at the army's expense—Cromwell and Vane antagonistic to each other—Dissolution of the Long Parliament and of the Council of State—Effect of this measure on English politics—Vane retires for a time from public life—Assembly of Puritan notables—Vane refuses to be a member of it—It resigns office—*The Instrument of Government*.

The question as to the dissolution of the present Parliament and the election of one in its place had, as we have said, been mooted from the very beginning of the new *régime*, and had been postponed time after time on one pretext or another. The House, on 15 May, 1649, appointed a Committee to report on "the succession of future Parliaments and the regulating of their elections," and as to the time for "putting a period to the sitting of this Parliament, and Vane was one of two members specially directed to keep the matter in view.¹ Eight months went by before Vane gave in a report on the matter, and this report was unfavourable to a dissolution of Parliament. It proposed that the number of members should be four hundred, to be allotted to the various counties, and to be divided between the counties and the towns they contained. It also proposed that the existing members for counties

¹ Gardiner, *Commonwealth*, vol. I, p. 64.

should be retained and that partial elections should be held to fill up vacancies.¹ But even this measure was unacceptable to Parliament, both on the ground of diminishing their present power, and also on that of danger to the Commonwealth, especially at a time when there was likelihood of a war with Scotland. Nearly two years elapsed after this without anything further being done, and then, on the initiative of Cromwell, it was decided that a Bill should be brought in to fix a time for a dissolution and for a general election. It was thereupon agreed to fix as the date for this 3 November, 1654. This granted three years further life to the present Parliament.

The fact that large sums of money had passed through the hands of members of the Long Parliament explains to some extent the popular demand for a dissolution. For a dissolution would involve calling them to account for their past proceedings. The same reason doubtless explains the conduct of some members in objecting to this course being taken, and in thus seeking to put off the day of investigation, and possibly of retribution. But in the case of others, concerning whom no suspicion of corruption existed, objection to the proposed course was based upon the dread of danger to the State which a general election would involve. The majority of the House before Pride's Purge had been Presbyterian, and there was no reason to doubt that a new House, freely elected, would have a similar majority and be, therefore, Royalist in character. The risk of a renewal of civil war, or of a restoration of the House of Stewart with a bloody proscription following in its train, may well have daunted many men of public spirit, and have weighed more with them than the consideration of retaining their own existing power. To those also of republican opinions it must have seemed frantic folly to establish a Commonwealth and then to leave it to be shaken, and possibly swept away, by the breath of the

¹ Gardiner, *Commonwealth*, vol. I, 271.

fickle multitude. There being no limit fixed by law for the existence of a Parliament, many, if not all, the present members must have felt that their status and authority was undiminished, even although a very long time had elapsed since they had been chosen to sit in Parliament and fundamental changes had occurred in the interval. Vane explicitly says that this was how he felt with regard to the matter.¹ The reluctance, therefore, of the so-called Rump to abdicate its powers and to give way to a successor was by no means unintelligible or even unreasonable.

The resolution to give the present Parliament three years more lease of life had been a compromise, but as matters were, neither party to it was inclined to stand by it. Factions existed within Parliament, and these naturally desired to acquire fresh strength by the election of new members with views akin to their own; while the army in its turn became restive during the period of delay, and at last determined again to endeavour to effect a change. A council of officers met and drew up a list of necessary reforms, and added to it as a means of effecting them, the request for "the election of a new representative." In consequence of this pressure a select Committee was appointed to draw up a Bill for Elections, and it is noticeable that Vane's name was omitted from the list of this Committee, while that of Cromwell was upon it. This marks the point at which the two men, who had for so long been political associates, broke their alliance and entered upon divergent courses.² Vane, all through, had been distinctly and emphatically in favour of the filling up of vacancies rather than of a dissolution. This was, indeed, the rock on which his public life made shipwreck.

And so matters went on. The exasperation of the army against the Parliament grew more and more intense; and the reluctance of the Parliament to make way for

¹ *Trial of Sir Henry Vane*, p. 46.

² Gardiner, *Commonwealth*, vol. II, p. 170.

a new and more adequate "representative" remained undiminished. In a certain sense the Parliament was at the mercy of the army which had mutilated it and which was shortly to eject it from power; but it was equally true that the army was, in a very real sense, at the mercy of the Parliament. Already, by a vote of the Parliament, the army had been diminished in order that the navy might be augmented, and by the same authority its virtual disbandment might any day be ordered. The position of Cromwell himself was unstable in the extreme, for when he spoke in the House of the need of a new Parliament, he was told that it was high time there was a new general who would obey orders instead of giving them.¹ As a matter of self-defence, therefore, he must have felt that prompt action on his part was demanded.

That matters were approaching an acute crisis in the relations between the Republican party and Cromwell was indicated by the proposal, to which we have referred, to sell royal residences and apply the money to the support of the navy. So far as Hampton Court was concerned the matter must have been offensive to Cromwell. After the Battle of Worcester it had been decided to fit it up as a residence for him.² On the present occasion both it and Windsor Castle were in the course of the progress of the Bill withdrawn from it, but ultimately Hampton Court was re-inserted in it, and the Bill passed into law.³ Curiously enough the fact that Cromwell was lodged in the latter Royal residence was the reason why some were anxious to dispose of it. Ludlow tells us that Vane was of this mind, and would willingly have sold these palaces, because at present they were "baits to tempt some ambitious man to ascend the throne."⁴ As Cromwell was the one man of the time who was

¹ Gardiner, *Commonwealth*, vol. II, p. 201: cf., p. 191: Dr Gardiner thinks that the person who replied to Cromwell in these terms was either Vane or Marten.

² *Commons' Journals*, vol. VII, p. 13.

³ *Ibid.*, vol. VII, p. 239.

⁴ *Memoirs*, vol. I, p. 347.

likely to be tempted in this way, the proposed sale of Hampton Court could scarcely be construed as anything else than an attempt to countermine his designs, or supposed designs. The Little Parliament, we may add, which was nominated by Cromwell ordered the sale to be stayed.¹

Nor was this the only way in which Vane was regarded as desiring to curb Cromwell's supposed ambition. The need for strengthening the navy for conflict with Holland, led to the withdrawal from the army of some regiments in order that they might serve upon the fleet. The result of this was that the military forces at Cromwell's disposal were reduced, while the naval forces under the control of the Council of State, in which members of Parliament had the predominance, were increased.² In both of these ways, therefore, Cromwell must have felt that behind the acts of legislation there was a suspicion of his procedure and a desire to foil his supposed purposes; while at the same time he could not openly object to those acts without admitting that the suspicion was well-founded, and that his purposes were indeed seditious. This, we are convinced, explains his hostility to Vane, which broke out some three or four months later, on the occasion of the dismissal of the Long Parliament, but which, even then, could not assume a more definite shape than a prayer to be delivered from him, i.e., we presume from his secret machinations. And this is an aspect of Vane's character which helps to explain the unpopularity into which at times he fell. For the work of countermining, useful though it may be, needs a measure of subtlety which, naturally enough, is hated by those against whom it is directed, and often wins no great admiration from those for whom it is employed.

More than once we have alluded to differences of opinion between Vane and his colleagues in Parliament. A slight but amusing story referring to this has been

¹ *Commons' Journals*, vol. VII, p. 324.

² Ludlow, *Memoirs*, vol. I, p. 347; Clarendon, *Rebellion*, XIV, 2.

preserved by Antony à Wood in connexion with the versatile and witty Henry Marten. The historian says: "He [Marten] was exceedingly happy in apt instances; he alone hath sometimes turned the whole house. Making an invective speech one time against old Sir Harry Vane, when he had done with him he said, 'But for Young Sir Harry Vane'—and so sate him down. Several cried out: 'What have you to say to Young Sir Harry?' He rises up: 'Why, if Young Sir Harry lives to be old, he will be Old Sir Harry,' and so sate down and set the whole House to laughing, as he often did."¹

The positions taken up by Vane and Cromwell respectively in the matter of the dissolution of the Long Parliament and the election of a successor to it, were hopelessly irreconcilable with each other, and the deadlock which ensued brought the Revolution to a standstill and made the restoration of the Stewarts inevitable. The fatal mistake had been Pride's Purge, which threw the whole legislative and executive power into the hands of a political faction. No general election could by any possibility be held without crippling that faction, and probably reversing the settlement which it had made. Hence Vane's proposal to fill up vacancies by partial elections, with the necessary corollary that the existing House of Commons should remain undissolved and be the judge of the qualifications and suitability of new members, was no mere insolent and rapacious claim. It was a necessity of the situation. In no other way could even a pretence of Parliamentary government be carried on.

On the other hand Cromwell, in pressing for the election of a more worthy Assembly for expressing and executing the will of the nation, felt it impossible to carry out a general election on the former lines. The scheme which the inevitable logic of events forced him to adopt was an actual suspension of Parliamentary government altogether, at any rate for a time. This method of

¹ *Athena Oxon.* "Marten," vol. III, p. 1243.

solving difficulties found acceptance among the more fanatical members of his party, who favoured the idea of "the rule of the saints," rather than that of the nominees of an unregenerate society. The representative of this class was Major-General Harrison. His demand was for authority to be lodged in the hands of men of distinctly religious character and of moral worth. That Cromwell approved of this course is evident from the fact that he followed it after the present Parliament was expelled.¹

Something like a compromise of matters was described in a declaration of officers of the army on 23 April, 1653. In this it was said that it had been proposed that the selection of men to whom to delegate their powers might be made by the Parliament itself. "After much debating," we are told, "it was judged necessary and agreed upon that the supreme authority should be by the Parliament devolved upon known persons, men fearing God and of approved integrity, and the Government of the Commonwealth committed unto them for a time as the most hopeful way to encourage and countenance all God's people, reform the law and administer justice impartially; hoping thereby the people might forget monarchy, and understanding their true interest in the election of successive Parliaments, may have the government settled upon a true basis, without hazard to this glorious cause, or necessitating to keep up armies for the defence of the same."²

But ingenious as the compromise was, no intelligent person could fail to see that the scheme virtually abolished Parliamentary government, to which the body of the nation was profoundly attached, and merely held out a vague promise of restoring it at some future period when a change might be made without injury to "the glorious cause." Vane's reply to this new proposal was a return to the simple and crude plan which from

¹ Gardiner, *Commonwealth*, vol. II, p. 181.

² Quoted in Gardiner, *Commonwealth*, vol. II, p. 203n.

the beginning he had favoured, that of filling up vacancies and of avoiding a general appeal to the country. When a general election would again occur was left as doubtful, under his proposal, as the date of the resumption of Parliamentary government had been left under the other. It was Vane's tenacity in adhering to his scheme for settling events that finally provoked the explosion in which the Long Parliament was scattered to the winds.

A conference between Cromwell and his officers and the leading men in Parliament was held in the afternoon of 19 April, 1653, at Whitehall, where the General had his headquarters. At this the scheme was proposed of superseding Parliament by a chosen Assembly of men of piety and integrity. "We desired," says Cromwell, "they would devolve the trust over to some well-affected men, such as had an interest in the nation, and were known to be of good affection to the Commonwealth." The Bill which Vane advocated prescribed that existing members of Parliament should be retained, and should be judges of the validity of new elections and of the fitness of members chosen. Both proposals were equally illegal; though Cromwell said he thought his was five times better than the other. The discussion that ensued lasted for many hours, but no decision was arrived at. "And at parting," says Cromwell, "two or three of the chief of them, one of the chief, and two or three more, did tell us, that they would endeavour to suspend further proceedings about their Bill for a new Representative until they had another conference with us." The next morning the officers of the army met again at Whitehall and a few members of Parliament joined them. While they were conversing word was brought them that the Parliament was engaged with the Bill, and that they would probably hurry it through the remaining stages and make it law at this sitting. If this scheme had succeeded the House would have adjourned for six months, and all power of altering its decision would have been taken away. Cromwell's

indignation at this turn of affairs was intense. "We could not believe it," he says, "that such persons would be so unworthy"; and he resolved to put an end to the Parliament by force.¹

The fullest account we have of the dissolution of the Long Parliament is in Ludlow's *Memoirs*.² "The Parliament," he says, "now perceiving to what kind of excesses the madness of the army was like to carry them, resolved to leave as a legacy to the people the Government of a Commonwealth by their representatives, when assembled in Parliament, and in the intervals thereof by a Council of State, chosen by them, and to continue till the meeting of the next succeeding Parliament, to whom they were to give an account of their conduct and management."³ To this end they resolved, without any further delay, to pass the Act for their own dissolution; of which Cromwell, having notice, makes haste to the House, where he sat down and heard the debate for some time. Then calling to Major-General Harrison, who was on the other side of the House, to come to him, he told him that he judged the Parliament ripe for a dissolution, and this to be the time of doing it. The Major-General answered, as he since told me: 'Sir, the work is very great and dangerous, therefore I desire you seriously to consider of it before you engage in it.' 'You say well,' replied the General, and thereupon sat still for about a quarter of an hour; and then the question for passing the Bill being to be put, he said again to Major-General Harrison, 'this is the time I must do it'; and suddenly standing up, made a speech, wherein he loaded the Parliament with the vilest reproaches, charging them not to have a heart to do anything for the publick good, to have espoused the corrupt interest of Presbytery

¹ Carlyle, *Cromwell*, vol. III, pp. 214, 215.

² Ludlow derived his information from Harrison. He himself was at this time in Ireland.

³ "It was not the provision for the dissolution of the present Parliament Cromwell and the soldiers objected to, but the provisions relative to the constitution of the new Parliament" C. H. Firth (*Ludlow's Memoirs*, vol. I, p. 351n).

and of the lawyers, who were the supporters of tyranny and oppression, accusing them of an intention to perpetuate themselves in power, had they not been forced to the passing of this Act, which he affirmed they designed never to observe, and thereupon told them, that the Lord had done with them, and had chosen other instruments for the carrying on His work that were more worthy. This he spoke with so much passion and discomposure of mind, as if he had been distracted. Sir Peter Wentworth¹ stood up to answer him, and said, that this was the first time that ever he had heard such unbecoming language given to the Parliament, and that it was the more horrid in that it came from their servant, and their servant whom they had so highly trusted and obliged; but as he was going on, the General stepped into the midst of the House, where, continuing his distracted language, he said, 'Come, come, I will put an end to your prating'; then walking up and down the House like a madman, and kicking the ground with his feet, he cried out, 'You are no Parliament, I say you are no Parliament; I will put an end to your sitting; call them in, call them in'; whereupon the serjeant attending the Parliament opened the doors, and Lieutenant-Colonel Worsley with two files of musqueteers entered the House; which Sir Henry Vane observing from his place, said aloud, 'This is not honest, yea it is against morality and common honesty.' Then Cromwell fell a railing at him, crying out with a loud voice, 'O Sir Henry Vane, Sir Henry Vane, the Lord deliver me from Sir Henry Vane.'² Then looking upon one of the members, he said, 'There sits a drunkard'; and giving much reviling language to others, he commanded the mace to be taken away, saying, 'What shall we do with this bauble?'³

¹ Sir Peter Wentworth, K.B.: appointed a judge of Charles I, but did not act: member for Tamworth (Carlyle, *Cromwell*, vol. III, p. 262).

² Lord Lisle, a brother of Algernon Sidney, was present. He reports as a rumour that as the members dispersed Cromwell addressed Vane and said "that he might have prevented this extraordinary course, but he was a juggler, and had not so much as common honesty" (Blencowe, *Sydney Papers*, p. 141).

³ A bauble is the mock emblem of a court-jester.



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here, take it away.' Having brought all into this disorder, Major-General Harrison went to the Speaker as he sat in the chair, and told him, that seeing things were reduced to this pass, it would not be convenient for him to remain there. The Speaker answered, that he would not come down unless he were forced. 'Sir,' said Harrison, 'I will lend you my hand'; and thereupon putting his hand within his, the Speaker came down. Then Cromwell applied himself to the members of the House, who were in number between 80 and 100, and said to them, 'It's you that have forced me to this, for I have sought the Lord night and day, that He would rather slay me than put me upon the doing of this work.' . . . Cromwell having acted this treacherous and impious part, ordered the guard to see the House cleared of all the members, and then seized upon the records that were there, and at Mr Scobell's house. After which he went to the clerk, and snatching the Act of Dissolution, which was ready to pass, out of his hand, he put it under his cloak, and having commanded the doors to be locked up, went away to Whitehall."¹

The person to whom Cromwell alluded, when he spoke of "one of the chief" members of Parliament, who promised to endeavour to keep back the Bill and broke his word, is not known. Carlyle conjectures that it was Vane, and in reporting the speech in which the charge against the unnamed member is found, inserts Vane's name, as though there were no doubt about the matter.² That Vane, who was the chief supporter of the measure in question, was the person who undertook

¹ Ludlow, *Memoirs*, vol. I, p. 351. An amusing "official version" of the dissolution of the Long Parliament was given in the following terms: "April 20, 1653: The Lord General delivered in Parliament divers reasons wherefore a present period should be put to the sitting of this Parliament; and it was accordingly done, the Speaker and the members all departing. The grounds of which proceeding will (it is probable) be shortly made public" (*Mercurius Politicus*, No. 150, p. 238). The narrative reminds us of C. Lamb's suggestion of what might have been the official report of the blowing-up of the Houses of Parliament if Guy Faux's scheme had been carried out: "A motion was put and carried, that this House do adjourn; that the Speaker *do quit the chair*. The House rose amid clamours for order" (*Essay on Guy Faux*).

² *Cromwell*, vol. III, p. 215. He inserts the name, of course, within editorial brackets.

to stop its progress we cannot believe. Had he given a definite pledge of the kind and broken it, we could not imagine how he could have rebuked Cromwell on the same day for his lack of common honesty. Another ear-witness of that day's proceedings tells us that Cromwell upbraided Vane as a "juggler," and said that he might have "prevented this extraordinary course." The words do not seem to us to imply that Vane was, in Cromwell's view, the chief offender, but rather that he had stood aloof and let matters take their ruinous way, and justified his procedure to himself by sophistry of some kind. We have to keep in mind also that a few weeks after the Long Parliament was broken up Cromwell called together the Assembly of "well-affected men" of which he had spoken, and that he invited Vane to be one of them.¹ Is it likely that he would have issued such an invitation to a man who had been guilty of treachery towards him? The supposition seems to us utterly incredible.²

The Council of State, of which Vane was a member, was still left, but its fate was soon decided. The same narrator tells how it also was dissolved. "Cromwell," he says, "having interrupted the Parliament in the morning of the 20th of April, 1653, came in the afternoon to the Council of State, (who were assembled to do their duty at the usual place) accompanied with Major-General Lambert and Col. Harrison, and told them at his entrance: 'Gentlemen, if you are met here as private persons, you shall not be disturbed; but if as a Council of State, this is no place for you; and since you can't but know what was done at the House in the morning, so take notice that the Parliament is dissolved.' To this Serjeant Bradshaw answered: 'Sir, we have heard what you did at the House in the morning, and

¹ The Long Parliament was dissolved on 20 April, 1653, and the Assembly in question was summoned on 6 June of the same year.

² Dr Gardiner refuses to believe that Vane was the person to whom Cromwell referred. Vane, he says, was capable of finessing, but not of breaking his pledged word (*Commonwealth*, vol. II, p. 206).

before many hours all England will hear it; but, Sir, you are mistaken to think the Parliament is dissolved; for no power under heaven can dissolve them but themselves; therefore take you notice of that.' Something more was said to the same purpose by Sir Arthur Haselrig, Mr Love and Mr Scot; and then the Council of State perceiving themselves to be under the same violence, departed."¹

The action of Cromwell in forcibly dissolving the Long Parliament has come to be regarded by many with amusement, as though it had been a gigantic practical joke. No doubt the vulgar mind has always delighted in seeing dignity affronted and authority flouted, but the Muse of history scorns its scorn. Let us rather listen to the verdict of a contemporary well able to form, and to express, a judgement upon the matter. "Thus," says Whitelocke, "was this great parliament, which had done so great things, wholly at this time routed by those whom they had set up, and that took their commissions and authority from them; nor could they in the least justify any action they had done, or one drop of blood they had spilt, but by this authority. Yet now the servants rose against their masters, and most ingratelously and disingenuously [disingenuously], as well as rashly and imprudently, they dissolved that power by which themselves were created officers and soldiers; and now they took what they designed, all power into their own hands. All honest and prudent indifferent [i.e., impartial] men were highly distasted at this unworthy action."²

Ludlow's opinion that Cromwell's conduct in the matter was "treacherous and impious" has just been given. Carlyle says that "innumerable mortals have accounted it as extremely diabolic," but that some—among whom evidently he ranks himself—"now begin to account it partly divine."³ We do not, however, feel

¹ Gardiner, *Commonwealth*, vol. I, p. 357.

² *Memorials*, p. 554.

³ *Cromwell*, vol. III, p. 196.

called upon to resolve the doubt as to which epithet is the more appropriate; and we certainly have no intention or desire to carp at Cromwell's fame in order to enhance Vane's. The poet has spoken of "the labyrinthine hearts of kings" as known only to Him who planned them, and we may assuredly admit that in the case of Cromwell, while his deeds and words are known to all the world, his motives are largely inscrutable.¹ It may, however, be concluded without much fear of contradiction, that an inevitable result of the expulsion of the Long Parliament was the restoration of the Royal family now in exile. It decided the question as to whether the government of the country was to be republican in its character, or—to use Cromwell's own phrase—to have "somewhat with Monarchical power in it."² The only question left undecided was as to whether the person exercising the monarchical power should be of the House of Cromwell or the House of Stewart. If once an opportunity were given to the nation at large of freely expressing its opinion on this point there could be little doubt as to what the answer would be. If a new Parliament were summoned nothing but the restraining power of the army could hinder it from being crowded with Presbyterians and partisans of the House of Stewart.

For the next five years Vane's appearances in public life were but brief and fitful. He left London and lived for the most part at his house at Belleau, in Lincolnshire,³ where he busied himself with the theological speculations which had so great a fascination for him. In the meantime, on 8 June, 1653, Cromwell issued summonses to a hundred and forty persons to take the

¹ William Watson, *Sonnet on Cromwell*: cf. Prov. xxv, 3.

² Whitelock, *Memorials*, p. 297.

³ Belleau derives its name from springs which flow with great volume. Two archways and an octagonal brick turret still remain in the present stables as part of the original manor-house, probably dating from the fifteenth century. Belleau was forfeited in 1662 and got back by the Earl of Lindsey, Lord Great Chamberlain to the King. He said he had sold it to Sir H. Vane to pay debts incurred in the service of Charles I and increased by composition.

place of the Parliament which had been so rudely expelled. These were, as Carlyle calls them, "a real Assembly of Puritan Notables," persons fearing God and of approved fidelity and honesty, who were expected to provide for the peace, safety, and good government of the Commonwealth.¹ By a vote this Assembly assumed the name of a Parliament, and its deliberations received the sanction conferred by the presence of the mace which had been recovered and laid upon its table.²

It is interesting that Vane was offered, as we have said, a seat in the Little Parliament, as the assembly in question is commonly called. He, however, declined the invitation, with an expression of sardonic humour which, in the circumstances, was excusable enough. In a letter, dated 3 June, intercepted on its way from a Royalist spy in London to a correspondent in Holland, we are told: "Young Sir H. Vane, notwithstanding the affronts he received at the dissolution of the Parliament, was invited, being in Lincolnshire, by a letter from the Council; which invitation he answered by a letter extracted out of that part of the Apocalypse, wherein the reign of the saints is mentioned, which he saith he believes will now begin; but for his part he is willing to defer his share in it until he come to heaven, and desired to be excused in yielding to their desires."³

The Nominated Parliament showed no capacity for carrying on the government of the country. It indulged in reckless and visionary projects, and seemed inclined to overturn every remaining institution in the country. By assailing the rights of patrons and the system of tithes it threatened to throw ecclesiastical affairs into confusion; while its proposal to abolish the Court of Chancery and to codify the Law seemed likely to reduce legal matters to a similar condition. So revolutionary, indeed, was the tone of this Parliament that it was generally

¹ Carlyle, *Cromwell*, vol. III, p. 198.

² Gardiner, *Commonwealth*, vol. II, p. 239.

³ Thurloe, *State Papers*, vol. I, p. 265.

believed that the abolition of the Universities and the substitution of the Mosaic Law for the Law of England would shortly be attempted.¹

The way in which this assembly came to an end was as singular as its proceedings had been. On 12 December, 1653, a little more than five months after it had been called together, a motion was made in it that "the sitting of this Parliament any longer would not be for the good of the Commonwealth," and that the members should resign into the hands of Cromwell the powers which they had received from him. The Speaker, without putting the matter to the vote, left the chair, and followed by some forty members, proceeded to Whitehall to carry out the act of resignation. About thirty members remained behind to protest against what had been done, but they were unceremoniously dispersed by soldiers acting under orders from Lambert or from Cromwell himself. In the course of a few days eighty members signed a deed of abdication, so that this course came to have the sanction of a majority of the House.²

The very semblance of constitutional government being now at an end, Cromwell found himself an absolute dictator. In order to regulate matters, a written constitution, entitled *The Instrument of Government*, was drawn up by the officers of the army, and was accepted by him. It prescribed "that supreme legislative authority should reside in one person—the Lord Protector of the Commonwealth of England, Scotland and Ireland, and the people assembled in Parliament." Cromwell was appointed the first Protector, and his office was declared to be elective. He was not allowed to veto Acts passed by Parliament, unless, indeed, they should be contrary to the *Instrument*—a provision sure to lead to discord in the absence of an authority to decide what was contrary to it or not.³ And so, four days after the resigna-

¹ Gardiner, *Commonwealth*, vol. II, pp. 240, 275.

² *Ibid.*, vol. II, p. 279.

³ *Ibid.*, vol. II, p. 285.

tion of the Nominated Parliament, Cromwell was formally installed in office as Protector, and the attempt was made to put the new scheme of constitutional government in operation.

Yet, though Cromwell may have thought that a settlement had been reached, it was impossible for the destruction wrought by revolution to be repaired so speedily, or for him to escape the nemesis which his own share in it had provoked. A constitution which had been the growth of centuries had been swept away; the Throne had been overturned, the House of Lords had been abolished, and Cromwell, with his own hands, had put an end to the mutilated remnant of the House of Commons. It was not to be expected that a constitution hastily concocted by a few military men could be found so perfectly adjusted to the needs of the country that it was unnecessary to discuss it and to modify it. It is amusing to find Cromwell recommending it on the ground that it had been framed by some men of "known integrity and ability," who had consulted together for several days upon the matter—an indication surely of his failure to realize the difficulties of his position.¹

¹ Carlyle, *Cromwell*, vol. IV, p. 53.

CHAPTER XV

The First Parliament of the Protectorate—Dissension between it and the Protector—He dissolves it hastily—Appointment of Major-Generals over England—Death of Sir Henry Vane the elder—Cromwell makes friendly overtures to Vane—Vane's visionary projects—He publishes *The Retired Man's Meditations*—The character of his theological writings and of this book—He publishes *A Healing Question*—Analysis of its contents—Summoned before the Council—Arrested and imprisoned in Carisbrooke Castle—Troubles in connexion with his property in Durham.

On 4 September, 1654, the first Parliament of the Protectorate met. It had been chosen strictly in accordance with the Bill which Vane had prepared and advocated, and which had been under discussion on the day when the Long Parliament had been dispersed. Persons known to be Royalists had neither been allowed to vote nor to receive votes. All others having the qualification of owning property worth £200 Sterling had been allowed the franchise. Rotten burghs had been abolished; and the number of members was four hundred, including thirty members for Scotland and the same number for Ireland. Altogether it was more like a modern Parliament than any which had yet met at Westminster. Lenthall, the Speaker in the Long Parliament, was chosen for the same office in this. One notices with interest that the elder Sir Henry Vane was a member, though his son was in retirement. Haselrig and Bradshaw, representatives of the extreme Republican party, and now hostile to Cromwell, were also present.¹

¹ Whitelock, *Memorials*, p. 599: Ludlow, *Memoirs*, vol. I, p. 386

Yet though the circumstances in which the Parliament met were not altogether hopeless with regard to a settlement of national affairs, a fatal division showed itself from the first between the Protector and the representatives of the people. He requested and expected them to accept the *Instrument of Government* without questioning it, and to acknowledge his position as therein laid down while they refused to recognize any legislative power outside themselves, and regarded the construction of a constitution as their first business. By a majority of five votes it was carried that the House should deliberate upon the question whether it should approve or not of "the system of Government by a single person and a Parliament."¹ That the executive government might with safety in certain circumstances be entrusted to a single person was not denied, and it was not denied that Cromwell was eminently qualified by his gifts and services for such a trust; but the Parliament was emphatically determined not to allow him a co-ordinate power with itself or to consent to his ordinances having the force of laws. It desired to settle his authority on a right basis by founding it upon a decree of Parliament rather than by accepting it as created by a coterie of military officers. Some five days were spent in discussing this matter, and then Cromwell intervened. On Tuesday 12 September, 1654, the members, on arriving, found the doors locked and guarded by soldiers, and were informed that the Protector would meet with them in the Painted Chamber.² Here Cromwell stated his position with great force and candour. He urged that he had had arbitrary power, the armies in the three kingdoms being under his command, and that by the *Instrument of Government* that power had been limited by his consent and shared with Parliament; but further limitation of it and subordination of it to Parliament he would not accept. He declared that on his being installed

¹ *Commons' Journals*, vol. VII, pp. 365-7.

² Burton, *Diary*, vol. I, p. xxxiii.

as Protector, his position had been confirmed—that he had the approbation of the officers of the army, of the city of London, and of many cities, boroughs and counties throughout the land, and that the judges had accepted their commissions from him. And finally he pointed out that the members of this Parliament had been summoned by his writs, and had therefore acknowledged his authority. For him accordingly to submit to accept that authority from them was a thing to which he would not consent. He then intimated that only those who would sign an agreement not to alter the government as thus settled would be allowed to sit in Parliament.¹

No more arbitrary measure than this was ever attempted by a Stewart Sovereign. How unnecessary it was was shown by the fact that three-fourths of the members signed the document, and would, therefore, doubtless have given security by a regular vote in Parliament that they would not attempt any sudden and violent change in the existing order of things. The mutilated House continued to display an independent spirit, and tacitly claimed the sole power of legislation by turning the *Instrument of Government* into a Bill which they duly debated and passed, and by referring ordinances issued by the Protector to a committee with the view of legalizing them. They postponed the granting of supplies and thus followed the precedents of former Parliaments which had chosen this method of drawing attention to grievances. A proposal by Lambert to make the office of Protector hereditary in the family of Cromwell was negatived by two hundred votes to eighty; and it was decided that in the case of a vacancy the Parliament, if sitting, should choose a Protector, and that in the absence of Parliament the choice should be made by the Council of State.²

Cromwell's patience was now exhausted. According

¹ Carlyle, *Cromwell*, vol. IV, p. 45 *et seq.*

² Thurloe, *State Papers*, vol. II, pp. 668, 681, 685; Whitelock, *Memorials*, p. 607: *Common's Journals*, 30 Nov. 1654.

to the *Instrument of Government* a Parliament could not be dissolved for five months after its first meeting. Cromwell chose to interpret this as five lunar months, and dissolved this Parliament twelve days before the time on which they had counted. Hereupon the very pretence of constitutional government disappeared. The Protector was an autocrat pure and simple; for he levied taxes without the consent of Parliament, and thus defied the one great means by which in our country it has been sought to limit arbitrary government. An immense impetus was given by this turn of events to the Royalist cause. Whitelock says: "The King's restoration began now to be held fit and requisite by many sober and faithful patriots, who were distasted at the private ambition of some, and their domineering."¹ In addition to the disaffection of Royalists, that of the genuinely Republican party had to be reckoned with, for to them Cromwell was an even more objectionable personage than Charles Stewart. Indeed, common antagonism to Cromwell drew together parties so totally different in political aims as the Levellers and the Cavaliers. All the Protector's energy was taxed to enable him to maintain his position and to carry on the government of the country, and he certainly displayed wonderful skill in coping with the difficulties of his position. Necessary taxation was imposed by an Ordinance of his, and as it was rather less than it had been of late, the country submitted to it quietly.² England was divided out into ten districts, each of which was placed under a Major-General—men carefully chosen to maintain order, and to redress evils according to the best of their judgement and with the aid of the militia of the counties over which their rule extended. At the same time conspiracy after conspiracy against the person and government of the Protector was foiled by his vigilance and by his unrivalled system of espionage.³

¹ Whitelock, *Memorials*, p. 620.

² Carlyle, *Cromwell*, vol. IV, p. 111.

³ *Ibid.*, vol. IV, p. 114.

Sometime in the month of May, 1655, the strange and chequered career of the elder Vane came to an end. He had begun life as a courtier, and had enjoyed honours and amassed wealth through the favour of Charles I. On his dismissal from office he had gone over to the popular side and showed himself more compliant than his son ever was to the party which founded the Commonwealth in the blood of the King. Royalists spread abroad reports that he died in agony, if, indeed, he had not taken his own life, from remorse at the share he had had in the death of Strafford.¹ We do not know with what thoughts or feelings he met death; but probably the rumours in question were utterly unfounded, as it is quite certain that blame in the matter of Strafford, if there were such blame, attached to his son and not to himself.

Raby Castle, as a residence, now came into the younger Vane's possession. There was still a garrison there of Parliamentary soldiers, and he sought to have them removed,² a matter in which the Government of the Protectorate was quite willing to oblige him. In a letter written by him from Lincolnshire on 14 September to Secretary Thurloe, reference is made to this removal and also to the sale to the Government of a quantity of arms stored in Raby Castle.³ The matter is interesting because, in the course of the correspondence, Cromwell himself, moved doubtless by old feelings of friendship, gave Thurloe a letter from himself to Vane to be enclosed with the official communication. Vane was touched by it and sent a friendly, though carefully guarded, reply. "I desire," he said, addressing Thurloe, "not to be insensible of the civility intended mee in it by the first hand,⁴ which accordingly I desire you to represent in the fittest manner you please, from one, who upon those primitive grounds of publike spiritedness and sincere

¹ *Nicholas Papers*, vol. II, p. 354: vol. III, p. 20.

² Thurloe, *State Papers*, vol. III, p. 745: letter from Raby Castle, of 30 Aug. 1655.

³ *Ibid.*, vol. IV, p. 36.

⁴ I.e., by the autograph letter of Cromwell's.

love to our country and the godly part in it, am still the same as ever both in true friendship to his [Cromwell's] person, and in unchangeable fidelity to the cause so solemnly engaged in by us."¹

Kindly though the reference to Cromwell is, Vane seems to be reminding him of a cause to which they had both at one time been pledged, and to which he himself is still unalterably attached. The natural inference from his words is that Cromwell had departed from it. This was certainly the opinion of the more ardent Republicans and of the more fanatical section of the Puritan party, and Vane, by sharing in their opinions, ran the risk of being suspected of sharing in their intrigues against the Government of the Protectorate. Henry Cromwell in writing from Ireland to Thurloe at this time mentions suspicions of the kind. He speaks with apprehension of the spread of Quaker and Fifth-Monarchy opinions, and says that he learns from England that "Sir H. Vane goes up and downe amongst these people and others, endeavouringe to withdrawe them from their submission to the present government."² That Vane, like many of his contemporaries, was under the influence of millenarian views was quite true, but the rumour in question is highly improbable. The visionary projects which occupied him at this time were not dreams of political change, but of "infinity and eternity, of death, the resurrection and a judgement to come."

For it was at this time that he brought out his book entitled, *The Retired Man's Meditations; or, The Mysterie and Power of Godliness*.³ This, which is the longest and most elaborate of Vane's works, is a quarto volume of some 428 pages. His seclusion from public life, or, as he calls it, "the retiredness of his condition," had ministered, he says, an opportunity of bearing witness

¹ Thurloe, *State Papers*, vol. IV, p. 329.

² *Ibid.*, vol. IV, p. 509.

³ At the foot of the title-page is the information, "London. Printed by R.W., and are to be sold by T. Brewster, at the three Bibles, neer the West end of Paul's [not St Paul's] 1655."

to truths of God that had been sown in his own heart. He admits that much which the reader will find in the volume will probably be thought "knotty and abstruse," both because of "the sublimity of the subject-matter and the narrowness and insufficiency" of his own powers of expression; but he says with some *naïveté* that if his readers will have patience to travel on they will, after a time, find themselves "in such shallows as are more suited to human capacity." Only a very brief and general account of the volume can be given here. An explanation of its obscurity is partly to be found in the fact that Vane's theological opinions were largely influenced by the mystical writings of Jacob Boehme, which to the ordinary reader, and even to many patient students, are for the most part unintelligible.

Bishop Burnet says of Vane's religious teaching: "Though he set up a form of religion in a way of his own, yet it consisted rather in a withdrawing from all other forms, than in any new or particular forms or opinions; from which he and his party were called 'Seekers,' and seemed to wait for some new and clearer manifestations. In these meetings he preached and prayed often himself, but with so peculiar a darkness, that though I have sometimes taken pains to see if I could find out his meaning in his works, yet I could never reach it. And since many others have said the same, it may be reasonable to believe that he had somewhat that was a necessary key to the rest. His friends told me he leaned to Origen's notion of a universal salvation of all, both of devils and of the damned, and to the doctrine of pre-existence."¹

The subjects dealt with in the present volume are, as given by the author on the title-page: "I. The Riches and fulness of Christ's person as Mediator, II. The natural and spiritual man, in their proper distinction, and III. The reign and Kingdom of Christ, in the nature,

¹ *History of My Own Times*, vol. I, p. 285.





Knave



*Sir H Vane finds a distinction betwixt
a Legal & an Evangelical Conscience*

limits and extent thereof, as well in His Saints as over His enemies."

The allegorizing of historical persons and incidents of Scripture and the attempted exposition of its apocalyptic books as setting forth events transacted within the souls and secret thoughts of men, are utterly baffling to even the most sympathetic reader who opens the volume. In one passage, to which we have already made reference, he lucidly describes the sphere of civil government, and points out the limits within which it ought to confine itself. Indeed, for a few pages in the chapter headed "The primitive constitution and right use of Magistracy," the writer proceeds in a perfectly clear and impressive manner to state his characteristic principles of toleration, but his course of thought soon loses itself again in the cloudy and mysterious terms in which his ideas are expressed.

The headings of two chapters entitled respectively, "Christ's rule in the legal conscience," and "Christ's rule in the evangelical conscience," have suggested a contemporary caricature, which represents him as distinguishing between matters which the popular mind is unable to regard as differing from each other.

The last chapter of the volume treats "Of the time of the manifestation of the sons of God, their sitting with Christ on His throne, ruling and influencing all things on earth, during the space of a thousand years." It was easily interpreted as meaning that in his disordered fancy he expected to become himself an anointed prince. But this was evidently a wilful distortion of his teaching, for as the idea and the phrases in question are not his invention, but are taken from prophetic Scriptures which he is seeking to interpret, he can only be accused of dealing in matters too high for him or outside the present conditions of human thought.

The singularity of the book consists in the fact that Vane, who could be so perfectly clear and definite in

argument, should write in such dark and strange terms.¹ The combination in him of great administrative ability, intellectual power, and, as this volume indicates, dreamy mysticism is very remarkable, and if it be not unique it certainly has few parallels in history. Altogether his book, though intended for edification, seems rather to illustrate the aberration of a great mind and to afford the spectacle of a soul losing itself in what Sir Thomas Browne calls "wingy mysteries in divinity and airy subtleties in religion."² In a contemporary criticism of the volume by a neighbour of Vane's in Lincolnshire, a similar verdict is given with considerable felicity of phrase and with more kindness of tone than was usually manifested in controversial writings in those days. The critic speaks of Vane as "in his retirement, after he had been such a great blessing in public affairs to the nation," and goes on to say: "This author hath not contented himself in the shallows, but hath waded into the deeps of divinity, possibly so far sometimes as that he cannot feel the ground of Scripture."³

In view of these statements it might seem a hopeless task to enunciate the main features of Vane's theosophy; but the fact remains that there was a definite spiritual foundation on which his whole political life was based, and that mere unintelligibility is an inadequate basis for such a structure. We are indebted to Thomas H. Green for the following description of Vane's system of thought. "The work of creation in time, he held, which did but reflect the process by which the Father begets the eternal Son, involved two elements, the purely

¹ This singularity in the book is noted by both Clarendon (*Rebellion*, XVI, 88) and Baxter (*Reliquiæ Baxterianæ*, p. 75).

² *Religio Medici*, Sect. IX.

³ This reply to Vane's book was published by a Martin Finch, "a weak labourer in the Lord's harvest in Lincolnshire," as he describes himself in a volume entitled *Milk for Babes in Christ*, Belleau, "the 17th of the month commonly called March, 1652." In 1656 he published *Animadversions upon Sir Henry Vane's Retired Man's Meditations*. He was ejected from the Vicarage of Tetney by the Uniformity Act of 1662, and died in 1698 at Norwich, where for thirty years he had been an Independent minister. The above quotation is from the address "To the Reader."

spiritual or angelic, represented by heaven or the light, on the one hand, and the material and animal on the other, represented by the earth. Man, as made of dust in the image of God, includes both, and his history was a gradual progress upward from a state which would be merely that of the animals but for the fatal gift of rational will, to a life of pure spirituality, which he represented as angelic, a life which should consist in 'the exercise of senses merely spiritual and inward, exceeding high, intuitive and comprehensive.' This process of spiritual sublimation, treating the spirit under the figure of light or of a 'consuming fire,' he described as the consuming and dissolving of all objects of outward sense, and a destruction of the earthly tabernacle, while that which is from heaven is being gradually put on. In the conscience of man, the process had three principal stages, called by Vane the natural, legal and evangelical conscience. The natural conscience was the light of those who, not having the law, were by nature a law unto themselves. It was the source of ordinary right and obligation. 'The original impressions of just laws are in man's nature, and very constitution of being.' These impressions were at once the source and the limit of the authority of the magistrate. The legal conscience was the source of the ordinances and dogmas of the Christian. It belongs to the champions of the covenant of grace as much as to their adversaries. It represents the stage in which the Christian clings to rule, letter and privilege. It, too, had its value, but fell short of the evangelical conscience, of the stage in which the human spirit, perfectly conformed to Christ's death and resurrection, crucified to outward desire and ordinance, holds intercourse 'high, intuitive and comprehensive' with the divine."¹

Whence Vane derived his theosophy is doubtful, but it is closely akin to that of Jacob Boehme, some of whose works had already been translated into English.

¹ *Works*, vol. III, p. 295.

A still more interesting inquiry is as to how speculations apparently vague and mystical could have borne such fruit as the very practical principles regarding the rights of man which are associated with the name of Vane. And here again we derive assistance in the inquiry from the writer last quoted.¹ In Vane first appears the doctrine of natural right and government by consent, which has been the moving principle of the modern reconstruction of Europe. It was the result of his recognition of the "rule of Christ in the natural conscience," in the elemental reason, in virtue of which man is properly a law to himself. From the same idea followed the principle of universal toleration, the exclusion of the magistrate's power alike from the maintenance and restraint of any kind of opinion. This principle was based, not on indifference to religious beliefs, but on the conviction of the sacredness of the reason, however deluded, in every man, which may be constrained by nothing less divine than itself. "The rule of magistracy," he said, "is not to intrude itself into the office and proper concerns of Christ's inward government and rule in the conscience, but it is to content itself with the outward man, and to intermeddle with the concerns thereof in reference to the converse which man ought to have with man, upon the grounds of natural justice and right in things appertaining to this life." And equally revolutionary was this principle found to be when applied to ecclesiastical matters. He would not consent to the re-establishment under the name of Christian discipline, of that constraint of the conscience which he refused to the magistrate. Such discipline, he would hold, as he held the Sabbath, to be rather a "magistratical institution" in imitation of what was "ceremonious and temporary" among the Jews, "than that which hath any clear appointment in the gospel." Christ's spirit was not bound. A system of truth and discipline had not been written down once for all in the scriptures, but

¹ In the paragraph that follows we largely use Green's words.

rather was to be gradually elicited from the scriptures by the gradual manifestation in the believer of the spirit which spoke also in them. A waiting, "seeking" attitude, unbound by rule, whether ecclesiastical or secular, was that which became a spiritual Church.

It was in 1656, after three years of retirement, that Vane descended again into the arena of public life in which he had once been a prominent figure.

On 14 March of that year Cromwell issued a proclamation commanding a fast, and in it made reference to possible faults which he had committed as ruler, and to the Divine anger as provoked by them. His words were: "That the Lord would pardon the iniquities both of magistrate and people in these lands, wherein the magistrate desires first to take shame to himself and find out his provocations."¹ The phraseology of the proclamation was somewhat unfortunate, as it suggested that assistance might be given to the magistrate in his investigation as to what in his own conduct had been faulty. Ludlow's version of the incident is scarcely an exaggeration when he says that Cromwell desired "that the people would apply themselves to the Lord to discover that Achan which had so long obstructed the settlement of these distracted nations."² At any rate Sir Henry Vane chose to make the issuing of the proclamation the occasion of making a statement of his views on the then condition of political matters. These he set forth in a pamphlet entitled: "*A healing Question propounded and resolved, upon Occasion of the late publique and reasonable Call to Humiliation, in order to Love and Union amongst the honest Party; and with a Desire to apply Balsome to the Wound, before it become incurable.*"³ This pamphlet Vane first of all submitted to Cromwell himself through Major-General Fleetwood. After the interval of a month it was returned to him

¹ Gardiner, *Commonwealth*, vol. III (supplementary chap.), p. 18.

² *Memoirs*, vol. II, p. 16. Ludlow borrows the phrase about Achan from Vane's pamphlet, *A Healing Question*. Need it be said that Achan figures in Josh. vii?

³ Somers, *Tracts*, vol. VI, p. 315; also reprinted in Forster's *Life of Vane*, App. A.

without comment, and he thereupon published it with a postscript in which he said that it had been submitted to those in power. It is probable that it was never shown to Cromwell. Had he seen it and tacitly consented to its being published, he could scarcely afterwards have been at liberty to treat it as a seditious document.

In this political treatise Vane comes forward as the champion of what he calls "the good cause"—the cause of civil and religious liberty as secured by the supremacy of Parliament over all other authorities in the country, civil and military. This cause, for the maintenance of which no expenditure of blood and treasure had been thought too great, was now in danger, for "the compacted body" of those who had struggled to render it victorious were "falling asunder into many dissenting parts." God had made them "absolute and complete conquerors over their common enemy," and their just rights had been secured and "ratified as it were in the blood of the last king." Their present condition of confusion and dissension was due to the fact that a form of government had risen up that seemed "rather accommodated to the private and selfish interest of a particular part [i.e. the army] than truly adequate to the common good and concern of the whole body engaged in this cause." The remedy he proposed was the formation of a new constitution in place of that which the army had devised and forced upon the nation. For this purpose he suggested the calling of "a general council or convention of faithful, honest and discerning men," chosen by the free consent of the whole body of adherents of the cause in question. These might debate the matter and decide upon the particulars of a written constitution to be subscribed by every one on whom it was binding. "Which conditions," he says, "so agreed (and amongst them an Act of Oblivion for one) will be without danger of being broken or departed from; considering of what it is they are the conditions, and the nature of the convention wherein they are made; which

is of the people represented in their highest state of sovereignty, as they have the sword in their hands unsubjected unto the rules of civil government, but what themselves orderly assembled for that purpose, do think fit to make. And the sword upon these conditions subjecting itself to the supreme judicature, thus to be set up, how suddenly might harmony, righteousness, love, peace, and safety unto the whole body follow hereupon, as the happy fruit of such a settlement, if the Lord have any delight to be amongst us."

That the pamphlet was intended as an eirenicon and not an attempt to embarrass the Government to which he was in opposition is quite evident from its tone all through. It contains grave criticism, but abstains from irritating personalities, and it even goes so far as to suggest an excuse for the act of violence by which the Long Parliament had been brought to an end. "It may probably," he says, "have been more the effect of temptation than the product of any malicious design; and this sort of temptation is very common and incident to men in power (how good soever they may be) to be overtaken in, and thereupon do sudden unadvised actions, which the Lord pardons and over rules for the best: evidently making appear that it is the work of the weak and fleshly part, which His own people carry about with them too much unsubdued. And therefore the Lord thinks fit, by this means, to show them the need of being beholding to their spiritual part, to restore them again, and bring them into their right temper and healthful constitution."

The wisdom of the course he recommended can scarcely be denied, in view of the fact that a century later it was a course followed with eminent success by the American colonies when they revolted from English rule and threw off monarchy. His scheme strikingly anticipates the republican government as devised and set up by Washington and his associates, and it even describes the offices of a president and a senate, as well

as of a lower house of Representatives, in terms that suggest the American constitution. It is true there might be some difficulty in restricting the choice of members of his proposed Convention to "the honest party" or the adherents of "the good cause," but this no doubt might have been overcome.

It is noticeable that all through the pamphlet Vane resolutely abstains from any approval or recognition of the existing order of things—*The Instrument of Government* and the Protectorate set up by it—and, as it were, seems to stand at the point where he was three years before when the Long Parliament was still in office. Cromwell is simply "the General of the army," and, as such, the servant of a higher authority. The futility of what had been attempted during the past three years might, he thought, prepare the nation to enter upon a wiser course. "For in this tract of time," he says, "there hath been, as we may say, a great silence in Heaven,¹ as if God were pleased to stand still and be as a looker-on, to see what His people would be in their latter end, and what work they would make of it, if left to their own wisdom and politick contrivances." In his closing paragraph he anticipates the coming of a better age in words more like those of a Hebrew prophet than an English politician. "Who knows," he exclaims, "how soon it may please God to come into this broken, contrite, and self-denying frame of spirit in the good people within the three nations, and own them, thus truly humbled and abased, for His temple and the place of His habitation and rest, wherein He shall abide for ever? of whom it may be said, 'God is in the midst of her, she shall not be moved; God shall help her and that right early'; (or with His morning appearance).² At which time He will sit silent no longer, but Heaven will speak again, and become active and powerful in the spirits and hearts of honest men, and in the works of His pro-

¹ The allusion is of course to Rev., viii, 1.

² This last clause is evidently Vane's explanation of the phrase "right early."

vidences, when either they go out to fight by sea or by land, or remain in counsel and debates at home for the publique weal, and again hear the prayers of His people, and visibly own them as a flock of holy men, as Jerusalem in her solemn feasts. 'I will yet for this be enquired of by the house of Israel,' saith the Lord, 'to do it for them; and then they shall know that I the Lord their God am with them, and that they are my people, and that ye my flock, the flock of my pasture, are men that have showed yourselves weak, sinful men, and I am your God that have declared myself an all-wise and powerfull God,' saith the Lord God."¹

The intense feeling displayed by the writer of these words and the strong religious faith which animated him could not fail to make a deep impression on the public. The pamphlet was widely read from the first, but more than two months passed before the authorities took action regarding it. Thurloe, secretary to the Council of State, in writing on 11 June to Henry Cromwell, says: "Sir H. Vane hath lately put forth a new form of government, plainly laying aside thereby that which now is. . . . At the first coming out of it it was applauded,² but now, upon second thoughts, it is rejected as being impracticable, and arguing in truth at setting up the Long Parliament again. But all men judge that he hath some very good hopes, that he shows so much courage. His name is not to it, but he doth acknowledge it to be his. It is certain it doth behove us to have a watchful eye upon that interest."³

On 29 July a summons was issued to Vane to appear before the Council on the 12th of the following month. He proceeded to obey the summons in a very leisurely way. As no reason had been given why he should appear before the Council, he said that he considered he was not bound to do so. When there was a King in England

¹ The quotations are from Ezek., xxxvi, 37: xxxiv, 30, 31 (with amplification).

² Vane's pamphlet appeared on 12 May.

³ Thurloe, *State Papers*, vol. V, p. 122.

it was, he said, declared by Parliament to be "against the laws and liberties of England that any of the people therein should be commanded by him to attend him at his pleasure, but such as were bound thereunto by special service. It will, I hope," he went on to say, "be permitted me, without offence, to claim the same privilege and liberty in these times, and in the case of the summons sent me, wherein I find no cause for my appearance expressed, but mere will and pleasure." He, however, added that in vindication of his innocent and peaceable manner of life he was willing to appear before the Council whenever he might be sent for.¹

On Saturday, 21 August, 1656, Vane presented himself to the Council of State, and was apparently asked nothing more than whether he were the author of the book with which his name was connected. "He owned," says Thurloe, "the writing of it, as also the publishing, though in terms dark and mysterious enough, as his manner is."² An order was thereupon made out in the following terms: "Sir Henry Vane having this day appeared before the Council, and they having taken consideration of a seditious book by him written and published, intituled 'A Healing Question propounded and resolved,' etc., the same tending to the disturbance of the present government and the peace of the Commonwealth; ordered that if Sir Henry Vane shall not give good security in five thousand pound bond by Thursday next to do nothing to the prejudice of the present government, and the peace of the Commonwealth, he shall stand committed, and that orders be drawn up accordingly."³

This security he refused to give. He spoke with indignation of being asked to do by his voluntary act that which would blemish his innocence and the justice of the cause for which he suffered. The nature

¹ Thurloe, *State Papers*, vol. V, pp. 317, 329; Howell, *State Trials*, vol. V, p. 791; Ludlow, *Memoirs*, vol. II, p. 10.

² Thurloe, *State Papers*, vol. V, p. 349; Carte, *Original Letters*, vol. II, p. 112.

³ Howell, *State Trials*, vol. V, p. 793.

of the proceedings now set on foot against him he characterized with fierce disdain and withering contempt. "I can truly say," he remarked, "I am very well content to take this [order] as a mark of honour from those that sent it, and as the recompense of former services. . . . Nor can I but observe in this proceeding with me how exactly those that have made this Order do in this, as in many other things at this day, tread in the steps of the late King, whose design being to set the government free from all restraint of laws concerning our persons and estates, and to render the monarchy absolute, did think he could have no better means to effect it than to cast into obloquy and disgrace all those that desired to preserve the laws and liberties of the nation. And," he added, "truly it is with no small grief, at this time to be lamented, that the evil and wretched principles of the misgovernment by which the King then aimed to work out his design, but could not effect, should now revive and spring up so evidently in the hands of men professing godliness."¹

The remonstrance perhaps made the Council slow in taking action, for a fortnight elapsed before a warrant was issued for Vane's apprehension. But at the end of that time he was arrested and sent to be imprisoned in Carisbrooke Castle, in the Isle of Wight, where Charles I had been confined eight years before. Nor was Vane's imprisonment in any sense a mere form, for instructions were sent to the Governor of the island to keep him in safe custody, and not to allow him to speak with any person during his abode there, except in the presence of some officer.² And he himself in after years referred to the hardships endured by him at this time. "I opposed," he said, "the usurpation of Cromwell from the beginning to the end, to that degree of suffering, and with that constancy, that well near had

¹ Thurloe, *State Papers*, vol. V, p. 349; Howell, *State Trials*, vol. V, pp. 793, 794; Ludlow, *Memoirs*, vol. II, pp. 15, 16; *Proceeds of the Protector* (1658), p. 3.

² Howell, *State Trials*, vol. V, p. 795; Thurloe, *State Papers*, vol. V, p. 407.

cost me not only the loss of my Estate, but of my very Life, if he might have had his will, which a higher than he hindered. Yet I did remain a prisoner, under great hardship, four months, in an Island, by his Orders."¹ He had protested that as a member of the Long Parliament, which had never been legally dissolved, he claimed freedom from arrest; but we can easily believe that this plea was not likely to mend matters.

The reason why action was taken against Vane at this time was not so much on account of the pamphlet he had issued, for it was not at all inflammatory in its character, as on account of the fact that a general election was at hand, and he might possibly be returned as member for some constituency. His name had been mentioned in connexion with two places at least—the town of Boston and the county of Lincolnshire.² The Government could not afford to allow him to enter Parliament and to lead the opposition. The whole Republican faction was at this time in a ferment against the ruling powers, and the imprisonment of Vane was but one of a number of actions which the latter thought necessary to secure their position. Major-General Whalley warned Cromwell that the procedure of the Council in summoning Vane to appear before them would materially assist his candidature for Parliament;³ but, as matters turned out, Vane was not sufficiently popular to be returned, and the Council, after guarding against the risk, liberated him at the close of the year (31 December).⁴

The whole incident by no means redounds to the credit of Cromwell's administration,⁵ and, indeed, is

¹ *The Trial of Sir Henry Vane* (1662), p. 47.

² Thurloe, *State Papers*, vol. V, pp. 296, 299. Dr Gardiner (*Commonwealth*, vol. III, p. 20) says Vane "aspired" to sit in the new Parliament. The word seems rather absurd in the case of a man second only to Cromwell, and one who was "an old Parliamentary hand." It would have been more appropriate to say he was "willing" to sit in it.

³ Thurloe, *State Papers*, vol. V, p. 296.

⁴ *Clarke Papers*, vol. III, p. 85; Thurloe, *State Papers*, vol. V, p. 349. In the latter it is said: "Sir H. Vane polled for it in three places and missed it in all."

⁵ No reference is to be found to it in Carlyle's *Cromwell*.

more like a piece of Star Chamber tyranny than procedure to be looked for under democratic rule. To Vane himself this experience of hardship and imprisonment must have been very bitter, connected as it was not only with loss of friendship, but also with the shipwreck of the cause with which he had once associated such bright hopes. In a written "Testimony" addressed to Cromwell at this time Vane places on record his wounded feelings. He dwells upon the fact that the ill-treatment he was suffering was all the harder to bear because it proceeded, not from enemies, "but from equals and friends that have gone into the house of God in company, and taken sweet counsel together in all their concerns, but yet come at last to hate their brethren, and cast them out under a pretence of zeal and glorifying God therein." He reminds Cromwell of their former divergence in politics, when the words "active" and "passive" had seemed to be descriptive of the different sides they were taking,¹ and he remarks that the words are still appropriate. "The message," he says, "which in former times you sent me, is in my memory still. It was immediately after the Lord had appeared with you against Duke Hamilton's army,² when you bid a friend of mine, tell your brother Vane (for so you then thought fit to call me) that you were as much unsatisfied with his passive and suffering principles, as he was with your active. And, indeed," he proceeded to say, "I must crave leave to make you this reply at this time, that I am as little satisfied with your active and self-establishing principles, in the lively colours wherein daily they shew themselves, as you are or can be with my passive ones; and am willing in this to join issue with you, and to beg of the Lord to judge between us and to give the decision according to truth and righteousness."³

Ludlow states that after Vane was released from

¹ See p. 175.

² I.e., the Battle of Preston.

³ Howell, *State Trials*, vol. V, p. 796.

Carisbrooke Castle he was subjected to another form of persecution on the part of Cromwell. The Protector, he says, "privately encouraged some of the army to take possession of certain forest walks belonging to Sir Henry Vane near the castle of Raby, and also gave order to the attorney general, on pretence of a flaw in his title to a great part of his estate, to present a bill against him in the exchequer. This was designed to oblige him to expose his title, which if they could get done, they doubted not by the craft of the lawyers, to find some defect in it, whereby it was hoped he would be forced into a compliance; yet at the same time he was privately informed that he should be freed from this, or any other inquisition, and that he should have whatsoever else he would desire, in case he would comply with the present authority."¹

There is reason, however, to believe that in connexion with the property in question Vane may have claimed more than he was entitled to, and that legal proceedings may have been legitimately taken in the interests of the State or of smaller holders. It seems that there were disputed claims with regard to the grounds adjoining Raby Castle, and so the mere assertion of these at a time when one of the claimants was on bad terms with the Government would not necessarily be proof of oppressive proceedings like those ascribed by Ludlow to Cromwell. Even if Vane himself were firmly convinced that the claims in question were unfounded, and were only brought forward to injure him, as he seems to imply by speaking of risk to property as well as to life as being part of his sufferings,² Cromwell is not necessarily thereby found guilty of the odious charge which Ludlow prefers. The mere fact that as early as 1700 Ludlow's statements with regard to the matter should have been denied, is very much in favour of Cromwell's innocence of the charge, whatever Vane in his irritation may have said or

¹ *Memoirs*, vol. II, p. 30.

² See p. 266.

thought.¹ The accusation brought by Ludlow seems inconsistent with Cromwell's character; and we are sure that both the friends and the foes of the latter would be glad if so hateful an action as that attributed to him could be disproved.

¹ *English Hist. Review*, vol. XXVI, p. 751.

CHAPTER XVI

Cromwell's last Parliament—*The Petition and Advice*—Confirmation of the Protectorate—Dissolution of Parliament—Death of Cromwell—Accession of Richard Cromwell—New Parliament called—Vane becomes a member of it—Instability of the present state of affairs in England—Vane attacks the constitution—Aims at establishing a pure republic—The army becomes mutinous—Collision between it and the Parliament—Parliament dissolved—The Protector set aside—The Long Parliament recalled—Vane the principal figure in English public life.

The Parliament of 1657 was the last held by Cromwell. Before it sat, the Council of State sifted it and excluded about a hundred members who were known to be of republican politics.¹ But apart from this tyrannical beginning, the whole endeavour of Protector, Council and Parliament was to found an orderly and constitutional government. The office of the Major-Generals was promptly abolished. In a document entitled *The Petition and Advice*, the restoration of the Monarchy and of a second chamber of legislation was proposed. Whatever Cromwell's own personal desires may have been in the matter of the office and title of King, there can be no doubt that the overwhelming majority by which the proposal to confer them on him was supported was influenced by the conviction that in no other way could the maintenance of the laws be secured or arbitrary government prevented. The power of a King was limited, that of a Protector was undefined.

¹ Firth, *Last Years of the Protectorate*, vol. I, p. 12.

But the convictions of a large section of the army were opposed to the restoration of the Monarchy, and these Cromwell refused to resist. With the substitution of the title of Protector for that of King the constitution drawn up and stated in *The Petition and Advice* was adopted. Cromwell was thereupon formally installed in office as Protector—an admission of the illegality of his position hitherto—and at his installation all the forms of a coronation were observed, with the exception of the anointing with oil and the use of a crown.¹ The members of a Second Chamber were nominated by him. The right of deciding on the qualifications of members of the Commons was restored to the House itself, and the exclusive right of taxation by Parliament was re-affirmed. Cromwell was allowed to nominate his successor, but apart from this the office of Protector was declared to be elective. Virtually this was all that was done by the Parliament. For with the opening of a second session the hundred members excluded at first were allowed to sit. Their factious procedure, however, so provoked Cromwell that in a fit of anger he dissolved Parliament.² Failing health hindered his attempts to repair the mistake thus committed; and on 3 September, the date on which he had won his great victories of Dunbar and Worcester, he received the call of death.

In the *Petition and Advice*, as we have said, Cromwell had been asked to nominate his successor. He had exercised his prerogative a year before his death, written down a name and enclosed the document containing it in a sealed packet, which lay at Hampton Court. Whose name it was, was never known, for the packet could not be found when the time came for arranging for his successor. Some supposed that the name was that of Major-General Fleetwood, his son-in-law, others that it was that of his son Richard. But before he died Cromwell was said to have nominated Richard by word

¹ Firth, *Last Years of the Protectorate*, vol. I, p. 200.

² Whitelock, *Memorials*, p. 673.

of mouth, or at any rate to have acquiesced in the suggestion that his son should be his successor.¹ The latter was his third, but eldest surviving son. He had been a member of the last two Parliaments, and had held the office of Chancellor of the University of Oxford, and had been the first named member of "the Other House," as Cromwell's second chamber was called. His tastes were those of an English country gentleman and savoured of the Cavalier rather than of the Puritan. His easy and gracious manners and freedom from strong political prejudices, combined with the fact that as he had not served in the army, he had not personally been embroiled in the Civil War, admirably qualified him to act as a constitutional prince.²

The succession to the Protectorate passed into his hands with great tranquillity. From civil, military, and ecclesiastical authorities in England and its dependencies addresses promising him support poured in upon him, and the various representatives of the States of Europe afforded him condolence on the death of his father, and congratulations upon his own accession. For nearly five months, indeed, from that event he seemed to be as firmly settled as his predecessor had been in the office of Protector.³ Yet the difficulties of his position were many and serious. The army had no great respect for the constitution which it had virtually created, and it resented being under the command of a civilian. The Republican party looked askance at the almost regal power and state which were associated with the chief magistrate. The stricter members of the Puritan party considered Richard as "little better than one of the wicked," because he made no claim to deep personal piety, and expressed scornful opinions of some of those who did.⁴ The Presbyterians had Royalist inclinations, and looked forward with some amount of eagerness to a restoration

¹ Carlyle, *Cromwell*, vol. V, p. 153.

² The statements regarding his rusticity and clownishness are mere Royalist fictions.

³ Burton, *Diary*, vol. III, pp. vi, vii.

⁴ Ludlow, *Memoirs*, vol. II, p. 62n: Thurloe, *State Papers*, vol. VII, p. 497.



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of the House of Stewart, while the Cavalier party increased in numbers and influence from day to day. And so it was, indeed, a strong testimony to what Carlyle calls "the power of the actual" that the Protectorate lasted as long as it did after the death of the first holder of the office.

In the meantime money was pressingly needed both for the payment of the army and for other public purposes, and a Parliament was called without undue delay. Pains were taken to try to insure a majority in favour of the existing order of things. The constituencies electing members were those of the former *régime* rather than those which had recently received the franchise. The reason for this was that it was thought that the smaller boroughs, "rotten" though they were, on receiving back their privileges, would be favourable to candidates supporting the Government. But in spite of all such devices the ministerial party in Parliament was almost counterbalanced by Republican and Presbyterian members.¹

With the accession of Richard Cromwell a new period of activity began for Vane. Now that Oliver was gone, the field of politics was open to him again, and there was no one in the whole range of English public life whom he need fear as a competitor. The system of the Protectorate as laid down in the *Petition and Advice* was too closely allied to monarchy and too likely to be the means of re-introducing monarchy for him to regard it with a friendly eye. His scheme of a convention of "faithful, honest and discerning men" and of the preparation of a written constitution, as proposed in *A Healing Question*, had already been considered by various groups of Republicans² and probably his hopes lay in the direction of carrying this into operation. His house at Charing Cross now became the rallying point of the Republican party, and he must have felt as if he were

¹ Ludlow, *Memoirs*, vol. II, p. 48.

² Thurloe, *State Papers*, vol. V, p. 179: vol. VI, p. 186: vol. VII, p. 588.

about again to experience some of the strenuous but inspiring activity of the early days of the Long Parliament, when Pym and he organized the party that overthrew the Government of Charles I.

One of the first questions that agitated Vane and his associates was as to whether they should consent to serve in the Parliament that was about to meet, if elected for it.¹ For Vane, who tenaciously held that the Long Parliament had never been legally dissolved, the matter might seem to be definitely settled in the negative. But this was one of those cases in which men of logical mind find that the events of life are too powerful for them, and that they have to pocket their scruples. To refuse to enter Parliament meant to exclude himself from public life; while if he became a member he would have an opportunity of assailing all that was in his view objectionable in *The Petition and Advice*, and of endeavouring to introduce a more purely republican constitution.² The Court party, as the party of Richard Cromwell was significantly called, was very hostile to the candidature of Vane, and strained every nerve to defeat it. They hindered his being returned as member for Hull and for Bristol, at both of which places he is said to have had a majority of votes; but at last, in spite of the keenest opposition, he was chosen and returned for the borough of Whitchurch in Hampshire.³

In the Parliament of 1657 it had been decided that all members of both Houses should, before being allowed to sit, take an oath not only to maintain the Protestant form of religion and the rights and liberties of the people, but also to abstain from doing anything against the person or lawful authority of the Protector.⁴ But the Government was too weak to secure the taking of this oath by all the persons concerned, calculated though it was to give stability to the office of the Chief Magistrate.

¹ Ludlow, *Memoirs*, vol. II, p. 50.

² Thurloe, *State Papers*, vol. VII, p. 550.

³ Ludlow, *Memoirs*, vol. II, p. 51.

⁴ Burton, *Diary*, vol. II, p. 297n.

Ludlow took his place in the House without submitting to be sworn, and on the attention of the House being called to the matter it was found that there were others present who were in the same condition. Nothing was done in the way of imposing the oath or of dealing with those who refused to accept it. Some asserted objections to the multiplication of oaths, and others declared that more important business than the consideration of a matter like this awaited Parliament. The result was that when Vane arrived a week or so later and took his place in the House, the oath in question was not imposed upon him; and so he had a free hand in dealing with the question of the status and authority of the Protector.¹

Vane was now by far the ablest and most practised politician in Parliament, and was a formidable opponent of the Government, though his power of organizing and leading a party was as limited as it had ever been. His whole strength lay in the weight of his personal character, in his firm grasp of principles, and in his remarkable ability to give clear and eloquent expression to the opinions which he formed. Indeed the series of speeches which he delivered in this Parliament, fragmentary as are the records of them, are singularly vivid and impressive, and show what it was that kept him in the forefront of public life.

Nothing more confused or unstable could be imagined than the condition of matters in this Parliament. About half the members of the Commons were Protectorists or supporters of the constitution prescribed in *The Petition and Advice*, that of government by a single person with the aid of two Houses of Parliament. The Republicans numbered only about fifty, but in their ranks were some of the ablest and most energetic members of the House of Commons—Vane, Lambert, Ludlow, Hazelrig, Bradshaw and Scott; while the remaining party—that of the “Moderates” or “neuters”—contained many concealed Royalists whose policy it was to em-

¹ Ludlow, *Memoirs*, vol. II, pp. 51-54: Whitelock, *Memorials*, p. 677.

barrass the Government by joining now with one faction and now with another in opposition to it. Parties being thus balanced, the Government had absolutely no majority as against a combination of Republicans and Moderates.¹

In addition to this the constitution crumbled away at every point. The very *Petition and Advice* on which the existing order of things was founded lacked validity, as it had been adopted by a Parliament from which a hundred duly elected members had been excluded. The title of the Protector was unsound, as there was no legal evidence that he had been nominated in accordance with the provisions of the Act that dealt with his office. The status of the second chamber, or House of Lords, was undefined, and its authority was repudiated by a large section of the Commons. What measure of control over the army should be exercised by the Protector was as disputable a point as it had been in the times when Charles I resisted the attempt of his subjects to deprive him of the power of the sword. While in the matter of the veto the feeling was widespread in the Commons that no claim on the part of the other House or of the Protector to hamper legislation agreed upon by the representatives of the people should be tolerated for a moment.

The utter instability of the existing order of things was disclosed in the prolonged debates in the House of Commons on a Bill brought in by Thurloe, to recognize Richard Cromwell's "right and title to be Protector and Chief Magistrate of the Commonwealth." The very first sentence of the Bill assumed as a fact the matter which the Republican party keenly disputed. It ran as follows: "Whereas his Highness, immediately after the death of his Highness's late father, became the lawful successor to succeed to the government of,"² etc. Here-

¹ Lingard, *History*, vol. VIII, p. 276.

² Burton, *Diary*, vol. III, p. 87n; Thurloe, *State Papers*, vol. VII, p. 603. The record of the debate on the Bill occupies two hundred pages of Burton's *Diary*.

ditary authority was implied in this preamble: and Parliament was called upon, not to confirm it, but to recognize the possession of it. If he were rightly in possession of power, there was no need to declare him so; if he were not, there was ample ground for consideration as to whether he should be vested with power and as to the rules and limitations under which this should be done. As it was, the Bill treated him as supreme magistrate and possessed of as great power as ever King of England had. The correct form of procedure, as one of the members, Mr Challoner, pointed out, would have been to quote the passage of the *Petition and Advice* referring to the nomination of a successor, to produce the document in which Richard Cromwell had been nominated, and to show that it had been duly witnessed, and that it had been sealed with the great seal. This, as was well known, could not be done.¹

On the third day of the proceedings Sir Henry Vane intervened in the debate and delivered a trenchant attack upon the position of the Protector and upon the constitution under which he claimed his office. "This *Petition and Advice*," he said, "which is now so much insisted upon, was never intended to be the settled government, but only to be a pair of stairs to ascend the throne: a step to King, Lords and Commons." The only outcome of it could be the restoration of the Stewarts. If they were minded to resort to the old Government they were not many steps from the old family. The Bill of Recognition took for granted that there was one in possession of the Protectorship. On what was his right and title based? It was not based upon conquest. It was not derived from the fact that he was the son of a conqueror, for his father had waged war on behalf of Parliament and not upon Parliament. Neither could it be said that it was based upon the *Petition and Advice* until it could be shown that the regulations imposed by that constitution had been

¹ Burton, *Diary*, vol. III, p. 130: Whitelock, *Memorials*, p. 677.

observed. "The whole executive power," said Vane, "of the late King was all given at one clap, to the late Protector for life. This being given to him, was not given absolutely to any other for life. Nothing was given him more, only the nomination and declaration of a successor, which must be according to law. So says the *Petition and Advice*. This nomination must first appear [i.e., be produced], before we can say this gentleman is the undoubted Protector." His proposal was a very simple one. The right of appointment of a Chief Magistrate lay in the hands of the representatives of the people. This was an unshakable foundation on which to build. Instead of accepting him as the son of a conqueror let them make him a son by adoption.¹ That his arguments had some effect, or that the Government in the circumstances felt compelled to make some concession, is evident from the fact that though the Bill was carried by two hundred and twenty-three votes to a hundred and thirty-four, it was decided to add to it clauses limiting the power of the Chief Magistrate and securing the rights and privileges of Parliament and the rights and liberties of the people, and to hinder any part of the Bill becoming law before this were done.² Parliament, however, was itself dissolved before this was carried into effect.

All Vane's speeches in this Parliament were directed to the one end of bringing down the Protectorate, or, at any rate, of changing it into a pure republic. The Chief Magistrate, if Vane could effect it, would be nothing more than Chief Magistrate. He would be surrounded with none of the Royal state which had ever been found the source of useless expenses and waste, and would have no power of vetoing the laws passed by representatives of the people.³ He was utterly opposed to the resuscitation of a House of Peers, and considered that whatever

¹ Burton, *Diary*, vol. III, pp. 171-80.

² *Ibid.*, vol. III, p. 287.

³ *Ibid.*, vol. III, pp. 171, 318, 337.

might be the functions of a senate or second chamber it should not have a negative voice in matters of legislation.¹ The mistakes and inconsistencies of the Government in home and foreign policy, and its highhandedness in dealing with those suspected of conspiracy against it, found in him a remorseless critic.²

It is strange that such a clear-sighted statesman and a man who had had his wide experience of public life should not have seen that in overthrowing the Protectorate he was breaking down the one embankment by which the flood of Royalist reaction was kept out. However pure and beautiful and fascinating the ideas might be which the vision of a properly organized republic summoned up before his mind, the nation at large would have none of it. This fact he seems never to have realized. The "good cause" for securing the triumph of which so much blood and treasure had been poured out had been, he thought, perverted and degraded by the personal ambition of Cromwell. Free it from these unworthy surroundings and it would shine out again as the cause which God had blessed, and the victory of which over its foes could only be ascribed to His special interposition on its behalf. In reply to some remonstrances he said: "God is almighty. Will you not trust Him with the consequences? He that has unsettled a monarchy of so many descents, in peaceable times, and brought you to the top of your liberties, though He drive you back for a while into the wilderness, He will bring you back. He is a wiser workman than to reject His own work."³ This was the tragedy of his life. He came at last to identify the political cause which he supported with the cause of God, and staked everything upon the expectation of aid from Him to whom "there

¹ Burton, *Diary*, vol. IV, pp. 70, 292.

² *Ibid.*, vol. IV, pp. 178, 229; vol. III, pp. 384, 401, 489, 495; vol. IV, pp. 120, 262. Among other things he objected to Ireland's having the power of legislating for itself and also of sending representatives to Westminster to have perhaps a casting-vote in the case of English laws.

³ *Ibid.*, vol. IV, p. 72.

is no restraint to save by many or by few." It was a mistake, though one perhaps which only a devout and enthusiastic mind could have entertained; and it met with the same crushing defeat as has ever fallen on those who have ill-advisedly brought the ark of God into their camp to secure victory over their enemies.

Meantime the army was fast drifting into a restless and mutinous condition. The pay of the soldiers was ten months in arrears and the Parliament showed no great alacrity in raising the funds necessary for providing it. The army was honeycombed by factions corresponding to those in the Parliament; and the condition of matters was all the more serious from the fact that the soldiers had, time after time, refused to consider themselves as mercenaries, and declared that they were citizens who yielded to none in zeal for securing the rights and liberties of the nation. They were consequently ready at any moment to bring to the aid of the political party to which they attached themselves the formidable support of armed force. The two main parties in the army were that of those who inclined to support the Protectorate, and that of those who preferred a Government of a more purely Republican type.

Immediately after the accession of Richard Cromwell meetings of military officers, which had previously been forbidden, began to be held. As a result of this a petition signed by more than two hundred officers was presented to the Protector asking that no officer should be deprived of command except by a sentence of court-martial, and that the command of the forces and the right to bestow commissions should be given to some person whose services in the field had proved his devotion to the cause. To this insolent request Richard replied in a firm but conciliatory manner. He pointed out that he could not divest himself of the command of the army and the right to bestow and withdraw commissions without violating the *Petition and Advice*—the instrument of government on which his authority was based. But in

order to meet their wish to have an experienced soldier over them he appointed his brother-in-law, General Fleetwood, his lieutenant-general. The petitioners expressed themselves as satisfied; but jealousies and discontent soon provoked fresh disorder.¹

Very soon the centre of power was removed from Whitehall to Wallingford House, the residence of Fleetwood, who was a zealous Republican. For though the cause of the Protector was supported by the armies in Scotland and Ireland under Monck and Henry Cromwell respectively, the English troops were to a very large extent inspired by purely Republican principles and a section of them adhered to Fleetwood. Some few of the English military leaders were still faithful to Richard and to the constitution, but about Fleetwood rallied a knot of men who were determined to reduce the Protector to the position of a civil magistrate with strictly limited powers, and to deprive him of all military command. A still more numerous and thorough-going party, who objected to government by a single person and who wished to see the Long Parliament and the Commonwealth restored, made St James's Chapel their meeting place. They largely consisted of inferior officers in the army, and among them Lambert, who at this time held no commission, was a secret intriguer.²

As Republicanism was in a hopeless minority in the Parliament and was predominant in the army, it was inevitable that some measure of co-operation should be established between the Parliamentary minority and the military factions who were dissatisfied with the present order of things. The two sections of the military party came to an agreement as to the line of action to pursue. Instead of reducing the power of the Protector the more drastic policy of restoring the Commonwealth and the Long Parliament was decided upon, and both Vane

¹ Thurloe, *State Papers*, vol. VII, pp. 447-452: Letters from Bordeaux to Mazarin, 3-24 Oct., 1659. (Given in Guizot, *Richard Cromwell*, vol. I, App.)

² Ludlow, *Memoirs*, vol. II, p. 61.

and Haselrig were taken into counsel by the military leaders. As any action of the kind proposed was closely akin to treason, so far as the present Government was concerned, Vane and Haselrig merely expressed approval of the object in view and left the army leaders to put the matter into operation. This they were not slow to do.¹

Fleetwood and Desborough called on the Protector, and, finding him alone, spoke to him about the unrest in the army caused by their pay being so heavily in arrears, and about the danger arising from the activity of the Royalist party, and they persuaded him to agree to a General Council of Officers being summoned to consider matters and to advise with him. He gave his consent to this without consulting his Council, and the result was that he called into existence a power which neither he nor his Council nor the Parliament was able to control. Early in April more than five hundred officers assembled at Wallingford House, and as a result of their deliberations "The Humble Representation and Petition of the Armies of England, Scotland and Ireland" was presented to the Protector. It was couched in vague but respectful terms and set forth the present condition of the army.² "This address," we are told, "he received with very great affection and respect to the whole body of officers which presented it . . . as the old friends of his renowned father and the faithful servants of the public interests of these nations." The Protector forwarded the document to the Parliament, which appeared to receive it with much indifference.³

The matter was now keenly taken up by subaltern officers and by private soldiers, and threats were uttered not only against the old Cavalier party, but against any other that would seek to enslave the nation. A second meeting of the General Council of Officers took place

¹ Ludlow, *Memoirs*, vol. II, p. 65.

² Thurloe, *State Papers*, vol. VII, p. 659.

³ Burton, *Diary*, vol. IV, p. 379.

at which the demand was broached for some fit person to be chosen to whom the command of the army might be entrusted. The Parliament was now thoroughly roused, and it was proposed to prohibit any Council of Officers from meeting during the session of Parliament except by consent of the Protector and the House of Legislature. This was firmly opposed by the Republican party in the Commons, and Sir Henry Vane was one of those who spoke against the attempt to coerce the army.¹ "The wheel had come full circle," and those who once were zealous for the power and privileges of Parliament advised caution in asserting them. They were alarmed at the progress made in the country by the Royalists. It was plain to them that the army stood between them and ruin, and they preferred military rule to that of the restored House of Stewart. Yet they were outvoted. Not only was the resolution prohibiting meetings of the General Council of Officers passed, but it was also decided that no person should hold a military or naval commission who refused to subscribe an engagement that he would neither disturb nor interrupt the free meetings of both Houses of Parliament or the freedom of their debates. They also requested the Protector, as head of the army, to order the officers to return to their commands, declared it treasonable for them to meet contrary to the orders of Parliament, and undertook to provide at once for the payment of arrears to those who rendered obedience.²

All efforts, however, to maintain the authority of the Protector and the Parliament were in vain. The officers still continued to meet, and Richard, though urged to use force to secure obedience to his commands, shrank from bloodshed. Matters came to a crisis on 20 April, when orders were given by Fleetwood for a rendezvous of troops at St James's, while the Protector ordered them to meet at Whitehall. Richard found himself almost

¹ Burton, *Diary*, vol. IV, p. 457.

² *Ibid.*, vol. IV, p. 461.

wholly deserted by the army, and even those of his body-guard who remained with him announced that they would not disobey orders which came to them from head-quarters. "About noon," says Ludlow, "Col. Desborough went to Mr. Richard Cromwell at Whitehall, and told him if he would dissolve his Parliament, the officers would take care of him; but that, if he refused so to do, they would do it without him and leave him to shift for himself. Having taken a little time to consider of it, and finding no other way left to do better, he consented to what was demanded."¹ Parliament was dissolved by proclamation, and, as it was likely that the members might ignore the authority by which they had been dismissed, padlocks were set upon the doors of the House of Commons, and guards were stationed to refuse admittance to all who might demand it.² The Protector lingered on for a few weeks as the nominal head of the State, but he was utterly unable to maintain order and, as it were, merely waited to learn what was to be his fate. His relatives, Fleetwood and Desborough, would probably have been willing to retain him and to govern in his name, but from all quarters, and especially from the City of London, requests came in to the Council of Officers to restore the Long Parliament "as the only means by which to establish a just and equal government in the way of a Commonwealth."³

Sir Henry Vane now became once more a very prominent figure in public life. At his house at Charing Cross a meeting was held of some of the leading officers of the army and of the Republican members of Parliament at which the arrangements were made for replacing in power that fragment of the Long Parliament which Cromwell had ignominiously expelled six years before.⁴

It was supposed that a hundred and sixty members of

¹ *Memoirs*, vol. II, p. 69.

² Burton, *Diary*, vol. IV, p. 483.

³ Ludlow, *Memoirs*, vol. II, p. 73.

⁴ *Ibid.*, vol. II, p. 74.

the Long Parliament were still available for the present service of the Commonwealth, but not more than ninety took their places in the House. These, of course, all belonged to the party which had been left in possession after Col. Pride, in 1648, had purged the Commons of its Presbyterian members. At least two hundred and thirteen members were still living who belonged to the party which had then been expelled. There was no reason in the world for continuing to exclude them from Parliament, beyond the resolution of those who had established and now maintained the Commonwealth not to allow themselves to be swamped and the Government overthrown by their political opponents. A full gathering of those who had been members of the House before the Purge in 1648 would have voted for the restoration of Charles II as the first item of business.

On the first day of meeting (7 May), a dozen or so of the excluded members endeavoured to make their way in along with the others, and were only kept out with difficulty. One of these was Prynne, who had suffered so many things in the days of Laud's supremacy and whose mutilated ears were a permanent memorial of the fact. He was now a red-hot Royalist, and was as vigorous in resisting Republican tyranny as he had been in resisting that of King and Priest. Two days later he managed to get into the House and engaged in hot controversy with Vane in maintenance of his right to remain there. Neither Vane nor any of his associates cared to call in the soldiers to remove the intruder, and so there was no other course than to adjourn the House and to be more careful in admitting persons at its next sitting. The House was accordingly adjourned. Prynne was the last person to leave it, but at a later hour in the day the guards at the door hindered his entering it again.¹

The Long Parliament, or The Rump, as its enemies

¹ Guizot, *Richard Cromwell*, vol. I, p. 138.

irreverently called it, was not able to hold possession of power for more than five months, as it was again expelled on 13 October, 1659. All through its brief course Vane was the most prominent figure in it. Naturally enough he was a member of the Committee of Safety¹ which was instituted on the dissolution of Richard Cromwell's Parliament, and of the Council of State which shortly afterwards took its place.² The affairs of the navy again demanded his attention, and much reliance was placed on his ability and experience in dealing with finances.³ Foreign affairs, too, were almost exclusively guided by him. In June of this year the French ambassador, M. de Bordeaux, speaks of him as "the principal minister in the present Government." A month later he speaks of Vane as informing him of the policy of the Government. "Sir Henry Vane," he says, "at his last visit, made no mystery about it, but told me plainly that the Government had no desire but to live on good terms with all neighbouring States and to secure tranquillity at home, as it is convinced that it will never be respected abroad until its authority is firmly established in its own dominions."⁴

Yet, faithful though he was to the Commonwealth, and zealous in its service, he was too clear sighted not to recognize the fact that he was the adherent of a falling cause. "The King," he said, "will, I believe, at one time or other, obtain the crown, for the nation is dissatisfied with any other government."⁵ This fact of itself that he wrought on with unfaltering devotion and with despair in his heart lends pathos to his position. The Republican party was, comparatively speaking, a small clique with which the mass of English society had no sympathy, and it was divided within itself into

¹ *Clarke Papers*, vol. III, p. 215: Whitelock, *Memorials*, p. 678: Ludlow, *Memoirs*, vol. II, p. 79.

² Ludlow, *Memoirs*, vol. II, p. 84.

³ *Commons' Journals*, vol. VII, pp. 646, 648, 654, 665.

⁴ Guizot, *Richard Cromwell*, vol. I, pp. 411, 437: see also pp. 381, 424, 433, 443, 483.

⁵ *Ibid.*, vol. I, p. 183.

innumerable factions. Some were anarchists and free-thinkers, others rigid Puritans. Some had their ideals in the Greek and Roman republics of classical antiquity, others in the Jewish Commonwealth of Old Testament times, while others anticipated the speedy establishment of a Divine Kingdom, which would realize the apocalyptic visions of Daniel and St John. "Chaos was perfection in comparison of our order and government," wrote a Major Wood on 3 June, "parties are like so many floating islands, sometimes joining and appearing like a continent, when the next flood or ebb separates them, so that it can hardly be known where they will be next. Fleetwood, Lambert, and Desborough, are not much revered by the soldiers, who, it is believed, know their own strength, and will set up for themselves. The Parliament daily expects dissolution; Tuesday last it was debated in the House to establish themselves during life. Three days since, five thousand of the Fifth-monarchy men met at Horsham, in Sussex, and dispersed after eight hours' consultation. There are two or three thousand of them well armed, and officers appointed to every thousand and every hundred."¹

These last, as is well known, believed that the visible reign of Christ upon earth would soon begin, and that this had been foretold by the Prophet Daniel in the passage in which he tells of the four great monarchies of the world being followed by the rule of the Son of Man.² Strange as it may appear this fantastical dream coloured the thoughts and political views of Vane. For there was in him a curious combination of the statesman and the dreamer, of the acute and clear-minded administrator of public affairs and the man who had been "caught up into paradise and heard unspeakable words such as it is not lawful for a man to utter." And yet perhaps one errs in calling the combination strange;

¹ Quoted in Guizot, *Richard Cromwell*, vol. I, p. 184 (Eng. Trans.).

² Chaps. ii and vii.

for, to the devout mind, the narrow and sordid tone of secular life demands relief, and this it can most readily find by fixing its gaze on the spiritual world. "It holds on its course as seeing Him who is invisible."¹

¹ Heb., xi, 27.

CHAPTER XVII

Vane as a preacher and religious leader—It is proposed to send him as ambassador to Holland—Feebleness of the Government—General unrest in the country—Royalist rebellion under Sir G. Booth—It is suppressed by Lambert—Vane again appears in arms—Insubordination of the army—Lambert expels the Long Parliament—Vane refuses to act on the Committee of Safety—Monck resolves to interpose in English affairs—He marches south from Coldstream—Vane's futile schemes—The Long Parliament meets again—Vane expelled from it—His unpopularity at its height—Satires upon him—Monck enters London—Employed by Parliament to coerce the City—Restores excluded members of Parliament—Royalist reaction—Lambert's futile attempt at insurrection.

For some time past Vane had been in the habit of addressing religious meetings both in the country and in London.¹ At Belleau, his residence in Lincolnshire, he had been accustomed to gather his neighbours together and to preach to them; while in London his expositions of Scripture, and especially his allegorical interpretations of various parts of it, had been greatly valued by many. We may, perhaps, be allowed to quote here some words of an enthusiastic disciple of his with regard to the matter, especially as they serve to show Vane in a new light to our readers. The writer has been describing the mystical meaning of the Tabernacle in the Wilderness and of all its contents, and he says: "In all these things, how excellent, how skillful, and what a cunning,

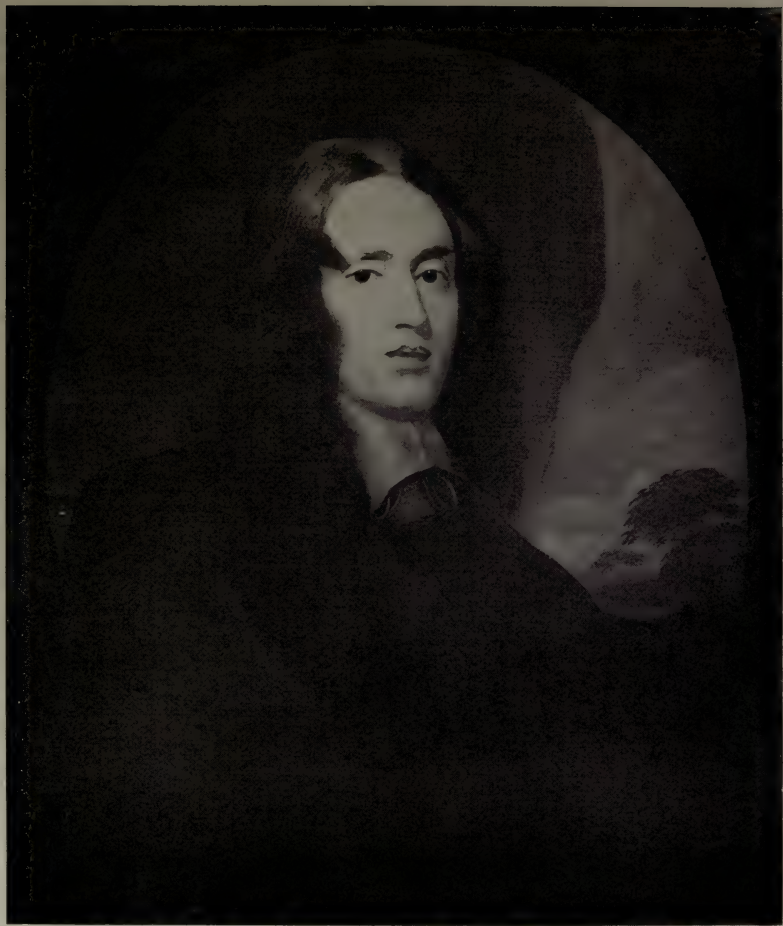
¹ In *England's Confusion* (Thomason Tracts, 30 May, 1659) he is satirically described as "single-hearted, preaching Sir Henry Vane, now become old Sir Harry."

searching spirit of discerning and judgement, had this wise-hearted soul [Vane] in the mysteries, unfolding the riddles and hard sayings, still [ever] opening them in spirit, faithful in all God's house, and keeping nothing of the counsel of the Lord back, nor hiding his light under a bushel, but setting it up in the candlestick, so that it gave light to many of the Lord's house. I was one of those that, constantly attending on his discourses, as oft as I was in town, knew him more in his family exercises and discourses for many years than most; from whom I received more help and light in the knowledge of God, than from all the men in the world besides, and found his ministry most searching and trying. What others took for gold he proved to be but brass, and some doctrines that others preferred for spiritual he tried and found them carnal. . . . Shall we say he was a scholar? Nay, but a rabbi, a doctor in the knowledge of Christ, in whom a greater fulness of the riches of wisdom and knowledge were treasured up than in most, like that disciple that lay in Christ's bosom."¹ These words testify to an extraordinary, magnetic influence exercised by Vane over some, at any rate, of his adherents or disciples. In an appendix we give a letter written by one of them on receiving news of his death. Its wild and mystical sentences, filled with a passionate attachment to him, almost amounting to worship, have a beauty of their own, and make it one of the most singular documents which have come down to us from that time.²

It is not to be supposed that a politician with characteristics like those of Vane would always be a convenient colleague, especially when, along with an imagination whose working none could fathom, he possessed a disinterestedness not to be tempted by earthly bribes, and an iron will when once he had resolved on any special course of action. Consequently

¹ From an anonymous letter prefixed to Vane's *Epistle General to the Mystical Body of Christ on Earth*, published in 1662 after his death.

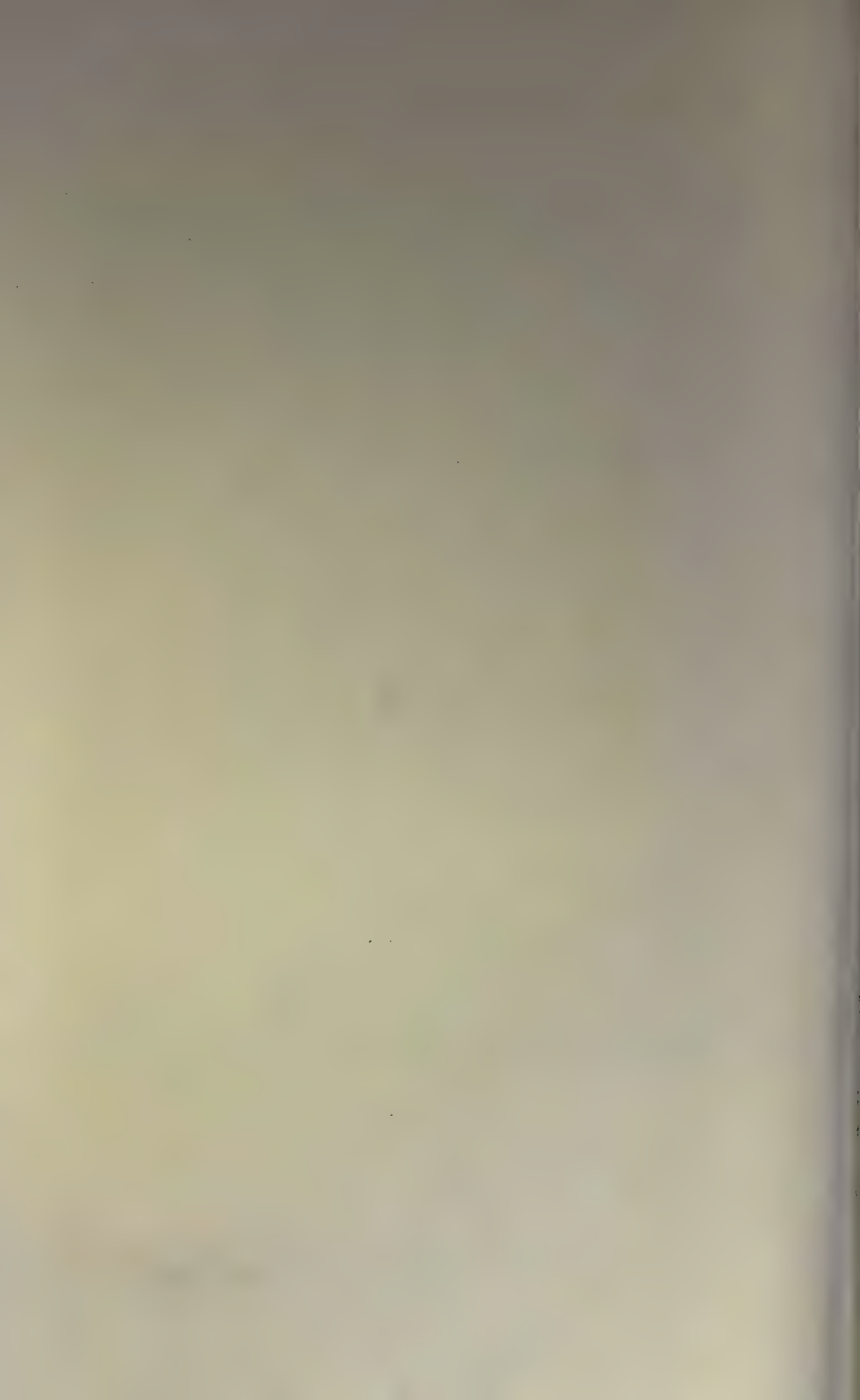
² See Appendix No. 5.



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SIR HENRY VANE THE YOUNGER
"The Mystic"

D. Macbeth, London



it is not surprising that some of his political associates wished to find for him a sphere of activity where his power of disarranging the plans of others would be limited. It was proposed to send him as ambassador to Holland; but some of his friends objected to his being shelved in this way, and the scheme was dropped.¹ Had it been carried out he probably would have escaped the bloody death which the Restoration brought him.

The relations between the army and the Parliament were considerably strained, and Vane was one of those who were employed in bringing about a settlement of matters. The Parliament itself was virtually the creature of the army as having been installed in power by it, and this fact made it difficult for the Government to get rid of some of the Cromwellian officers who were attached to the fallen Protectorate, and to persuade those who held commissions to have them renewed and to receive them from the Parliament. Yet the civil authority, by firmly insisting upon the military power being subordinate to it, carried its point. Seven commissioners, of whom Vane was one, were appointed to nominate officers, and these, from Fleetwood, the commander-in-chief, downwards, finally consented to receive from the Speaker's hands commissions signed by him.² That Lenthal, the person in question who gave the commissions, was a lawyer stricken in years, of shifty character and sanctimonious manners, was an element in the case; and some of the officers could not refrain from scoffing at him even while nominally acknowledging him as the head of the State. But in the end as but few changes were made in the distribution of commissions, the matter was tided over and the Parliament regarded itself as victorious.

The feebleness of the Government and the financial difficulties which beset it served, however, to increase the general unrest in the country, and to promote the

¹ Guizot, *Richard Cromwell*, vol. I, p. 424.

² Ludlow, *Memoirs*, vol. II, p. 91: Whitelock, *Memorials*, p. 685.

interests of the Royalist cause, which since the death of Cromwell had been quiescent. Not only the old Cavalier party, but many of the Presbyterians throughout the country whose representatives had been excluded from Parliament since the time of Pride's Purge were now desirous to make another open attempt to restore the Monarchy. A general insurrection was planned and was widely supported, and arrangements were made for carrying it into effect in the month of May. The matter was, however, disclosed to the Government and ample precautions were taken for maintaining peace and order. The militia was organized, six new regiments were raised in London, and three regiments which had served in France under Turenne were recalled.¹

The Royalists, too, were thrown into the greatest consternation at this time by the sudden publication of the fact that one of the leading men who had charge of Charles's affairs in England had for some time past been a traitor and had kept the Government fully informed of the plans for overthrowing it. This led to a postponement of the Royalist insurrection, and finally to its being abandoned by all but one of those who had pledged themselves to open revolt. As this matter has been hitherto related somewhat confusedly by the historians of this time, we may be allowed to tell of it at length, especially as Vane has, strangely enough, some connexion with it.

Sir Richard Willis, a prominent Royalist, who had served on the King's side during the Civil War, was one of the "Sealed Knot," a secret committee, who attended to the King's interests in England. He had, however, entered Cromwell's pay, and the result of the information he gave from time to time was that one Royalist plot after another came to naught. His treachery became known to Samuel Morland, Thurloe's secretary, who early in 1658 had resolved to desert Cromwell and support the Royalist cause. Welwood,

¹ Guizot, *Richard Cromwell*, vol. I, p. 199.

the historian, tells of Cromwell, Thurloe and Willis as meeting together to discuss some matter of great importance and secrecy. He says that Cromwell suddenly discovered that Morland was in the room and had probably overheard the conversation, and drew a poniard with which to put him to death. Morland, who pretended to be asleep, only escaped death, the same informant tells us, in consequence of Thurloe's protestations that he was really asleep as he had sat up the "two previous nights together."¹ The subject of the conversation on this occasion is supposed to have been a plot to entice Charles II and the Duke of York over to England in connexion with a projected Royalist rising, and to seize them upon their landing. No doubt this scheme was more than once proposed and discussed, but nothing definite was done in the way of carrying it out in Cromwell's lifetime. It was revived and almost carried into effect a year afterwards, and it is this later development of matters which concerns us here.

On the restoration of the Long Parliament (7 May, 1659), Thurloe, as a supporter of Richard Cromwell, had fallen into the background. Though he was not altogether deprived of office as Secretary of State, he was to a large extent superseded by Thomas Scott, one of the regicides.² Morland, however, was deprived of his under-secretaryship, and was on the point of removing to France, of which his wife was a native,³ when matters took a new and a dramatic turn. An obscure Royalist intriguer named Paule,⁴ who had wormed himself into Morland's confidence and found an opportunity of rifling his papers, discovered Willis's treachery, and

¹ Welwood, *Memoirs*, p. 111 (1700): *D. N. B.*, "Samuel Morland."

² Guizot, *Richard Cromwell*, vol. I, pp. 193, 198 *et passim*.

³ She was Suzanne, daughter of Daniel de Milleville, Baron de Boissay in Normandy.

⁴ Paule was a son of Sir George Paule, registrar of the High Commission Court, who died in 1655. To escape the danger of this connexion he had become a naturalized subject of the Republic of Ragusa in Sicily. He was a seaman and trader, and had just recently returned to England, after six years' captivity in Algeria (*S. P. Dom.* Charles II, 14, No. 97, Jan., 1666).

took the bold step of publishing the fact.¹ On the morning of 3 June it was found that a notice had been put up in a conspicuous place on the wall of the Royal Exchange declaring that Sir Richard Willis was a traitor, and had for some time past betrayed all the Royalist plans. This it was that threw the Royalists into confusion and virtually foiled their present scheme. The insurrection was postponed. In the meantime Paule was dispatched by Morland to the King at Brussels with proofs of Willis's treachery.² Charles was by no means ready to credit the information laid before him, and among his immediate adherents opinions were divided as to the truth of the charges brought against Willis. But in the end the King was convinced that he had escaped a great peril, and he wrote to Morland and promised him the Order of the Garter and a handsome income along with it for the services which he had rendered.³ At Paule's suggestion Morland entered the service of Bradshaw, who was a prominent member of the present administration, and thus he had a fresh opportunity of gaining information which he might use for promoting Charles's interests.⁴ Here he made a startling discovery, "by means of his art of unsealing letters," while engaged in handling Bradshaw's papers.⁵

Sir Richard Willis, driven to desperation by the exposure of his villainy, and seeing nothing before him but death if the King returned, resolved to carry out his long-cherished plot of entrapping Charles and his brother. He took a moated house at Weston Hanger, near Hythe, in Kent, for the use of the princes who were invited, and, indeed, were eager to cross the Channel and to take part in the proposed insurrection, and at the same time he arranged for an ambush of soldiers to surround the building when they were safely within it.

¹ *Clarke Papers*, vol. IV, App. 304-6.

² Appendix, No. 4.

³ *Ibid.*

⁴ *Clarke Papers*, vol. IV, App.

⁵ *Hist. MSS. Com.*, VII, p. 245.

The day was fixed for Charles's leaving Brussels and crossing to England, but a Major Henshaw was sent by Morland to warn him of his danger, and succeeded in doing so. He reached his Majesty just as he was putting on his boots in readiness to start for Hythe.¹

In the narrative Morland gives of this plot he accuses Scott and Vane of being accomplices of Willis. So far as Scott was concerned we can easily understand that he would be ready to enter upon some such bold undertaking as that above described. In view of the general feeling in the country and the certainty of the restoration of the monarchy, the regicides, of whom Scott was one, must have felt that their lives were hanging by a thread; and the idea of securing the princes and of holding them as hostages probably explains the plot. At the same time no one could deny that the lives of the Royal brothers would have been in danger if they had been in the hands of desperate men, whose proposals they might have been disinclined to accept. So that the plot might with no great unfairness be described as one to murder them. So far as Vane's connexion with the plot is concerned, the evidence to prove it is insufficient. We have simply the statement of one witness, whose good faith, indeed, we have no reason to doubt, but who may have been misinformed upon this point. We have the accusation, but we have not the accused's defence of himself. And so the matter must be left in abeyance.

In view, however, of the fact that he may possibly have taken the part in the plot which Morland assigns to him, some extenuation of his conduct may still be found. As Charles was making, or was proposing to make, war upon the Commonwealth, it is possible that Vane regarded what was proposed to be done as a justifiable act of war. Or it may be that, like Lord William Russell a generation later, he had the misfortune of having political associates who cherished schemes of which

¹ Appendix, No. 4.

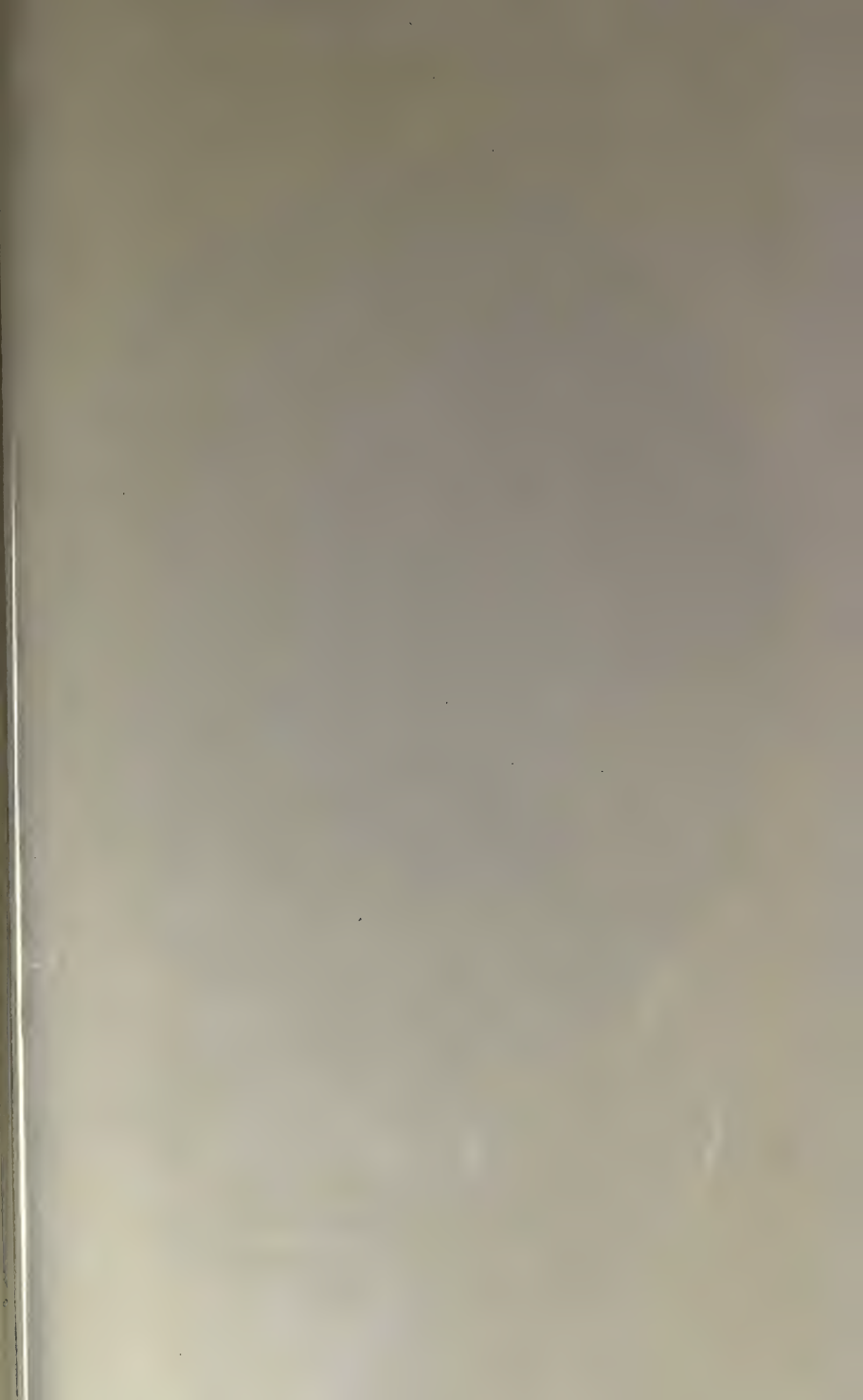
he was not fully informed, and of which he would have disapproved. We have no desire to defend him against any blame which he may be held to have justly incurred. In spite of our deep admiration of his character, we are not prepared to assert that his fine intellect was never caught in the toils of sophistry or that the dangers which from time to time assailed him never drove him aside from the path of duty.

Though Morland did not receive the high rewards promised him, he was treated ever afterwards by Charles II as one who had a claim upon his gratitude. Immediately after the Restoration he was made a Baronet and a gentleman of the Privy Chamber, and he received pensions and grants of money for his maintenance, though on a scale which he thought inadequate remuneration for the services which he had rendered.¹ Sir Richard Willis was, after the Restoration, tried on the charge of treason, but escaped conviction.

The Royalist rising which had been proposed in the month of May was postponed until August, but so thoroughly disconcerted were the plans of the party that it was abandoned by them. Only one person persisted in the undertaking, Sir George Booth, a Presbyterian gentleman in Cheshire, who raised the royal standard at Warrington on 1 August, 1659.² His attempt, though daring, was by no means desperate, especially in view of the fact that he made his appeal to all who were dissatisfied with the present order of things, and not merely to those of Royalist politics. In his address he said: "We have taken arms in defence of ourselves and all others who will partake with us in the vindication and maintenance of the freedom of Parliaments against all violence whatsoever, and of the known laws, liberty, and property of the good people of this nation, who at present groan under illegal, ar-

¹ Many notices of Morland are to be found in Pepys' and Evelyn's *Diaries*. He was a distinguished mathematician and inventor.

² Whitelock, *Memorials*, p. 682: Clarendon, *Rebellion*, XVI, 38, 39: *Commons' Journals*, vol. VII, p. 749.





National Portrait Gallery

GENERAL LAMBERT

D. Macbeth, London

bitrary and unsupportable taxes and payments unknown to our ancestors."¹ Recruits flocked to him from all the adjoining country and various towns sent him supplies of money for carrying on the campaign. In a short time he was at the head of more than four thousand men and Chester was in his hands.²

The Parliament was in some doubt as to whom to entrust the command of the forces to be employed in suppressing the rebellion. Some of the Royalists made overtures to the wife of Colonel Lambert, and endeavoured to get her husband to join the insurgents, and offered to agree to any terms he might demand. She herself was a devoted disciple of Sir Henry Vane as a religious teacher, as well as a personal friend of his, and therefore it was not very likely that she would be inclined to betray the Government of which he was the most prominent member. She acquainted her husband with the proposal and he revealed the matter to Sir Henry Vane. Lambert's fidelity to the Commonwealth having thus, it was supposed, been illustrated by his action at this crisis, Vane was enabled to bring about a reconciliation between him and Haselrig, who had previously been estranged from him, and to pledge them both to support the Parliament. And so it came about that Lambert was shortly afterwards appointed to command the forces that were designed to suppress the insurrection in Cheshire.³

On 6 August, Lambert started for the north with three regiments of horse, one of dragoons, three of foot, and a train of artillery. Nearly a fortnight later the conflict between the insurgents and the Government troops took place at Warrington. The hastily raised levies of the Royalists could not stand before Lambert's veteran soldiers, and so the matter was quickly decided. Booth's forces scattered before being charged by their

¹ Guizot, *Richard Cromwell*, vol. I, p. 204.

² *Ibid.*, vol. I, p. 447.

³ Ludlow, *Memoirs*, vol. II, p. 112.

opponents, and the only serious fighting that took place was on the part of a handful of Royalist soldiers who strove to cover the retreat of their comrades. About forty were killed in the engagement which closed the campaign. Sir George Booth himself attempted to escape, disguised as a woman, but was discovered and was sent up to London and imprisoned in the Tower. So speedily was the rising suppressed that on 21 August Lambert wrote to the Parliament: "If there be anything in these parts which may require my further service and attendance, I shall desire your speedy commands therein, which shall be most readily observed."¹

Among other arrangements made for coping with the Royalist insurrection, several regiments were raised, as we have said, in London, and of one of these Vane was appointed Colonel. This was the second time in his life when he appeared in arms, and his action on the present occasion was afterwards made a ground of accusation at his trial. "The employment," he said, in defending himself, "mine own inclinations, nature and breeding little fitted me for, and it was only intended as honorary and titular." He went on to say that he had had really little to do with the regiment beyond inspecting it on one occasion and giving the soldiers five pounds to drink his health.²

The Royalist prisoners were treated with courtesy and kindness. To one of them who remarked upon the fact and spoke of former sufferings at the hands of Cromwell, Vane said that it marked the difference "between the government of a free state and that of a single person."³ The deduction was somewhat dubious. It is probably nearer the mark to say that public opinion was now so favourable to the Royalist cause that anything like a proscription of the defeated party would not have been tolerated. Members of the Government,

¹ Guizot, *Richard Cromwell*, vol. I, p. 208.

² *The Trial of Sir Henry Vane*, p. 49: see also pp. 29, 33.

³ *Clarendon State Papers*, vol. III, pp. 550, 543.

too, must have felt that a change of Fortune's wheel was possibly, if not probably, near at hand, and that they also might soon be themselves suppliants for mercy.

No sooner had the Parliament weathered this storm than one still fiercer sprang up from another quarter, and in a very short time carried everything before it. The Parliament had expressed its gratitude to Lambert for his successful exertions, and had given him a thousand pounds as a mark of its satisfaction with him, but very soon they had reason to suspect that he was likely to seize upon power and declare himself Protector. The whole relations between the Parliament and the army had been unsound and the present breach between the two was quite inevitable. Power lay really in the hands of those who held the sword and the Parliament by insisting upon being acknowledged as the source of authority and by imposing conditions and restrictions upon those to whom they gave commissions, assumed an attitude of command which was ludicrously at variance with their actual condition. The common soldiers openly scoffed at Lenthal as their new general, and declared that in their next campaign he would have to accompany them, and that they would not go a step further than he led them.¹

Lambert, in the meanwhile, made no haste to return to London. He lingered in the country, but entered into negotiations with prominent officers stationed in the city. The next news that the Parliament received was that at a meeting in Derby of the officers of the forces which had defeated Booth, a petition had been sent to Fleetwood for consideration by the General Council of the army, and for transmission to Parliament. Fleetwood was at once summoned to appear before the House, and when he came he presented to it the petition in question. According to the rules laid down by Parliament the commander-in-chief and all other officers only held their commissions during the present session

¹ Guizot, *Richard Cromwell*, vol. I, p. 216.

of Parliament or during the pleasure of the latter. The petition demanded that a permanent arrangement should be made—that Fleetwood should be commander-in-chief, Lambert major-general, Desborough lieutenant-general of cavalry, and Monck, lieutenant-general of infantry.¹ A heated debate ensued upon the matter. Haselrig proposed that Lambert should be accused of treason and committed to the Tower. But ultimately it was decided “that to have any more general officers in the army than are already settled by the Parliament was needless, chargeable [expensive] and dangerous to the Commonwealth.”²

They ordered Fleetwood to inform the officers of this decision, to admonish them with regard to their irregular proceedings, and to prevent anything further being done in the matter. Further negotiations followed between the Parliament and the officers in London, but the upshot of matters was that the demand for the army to be independent of the Parliament was virtually made in the name of the majority of the soldiers. Open violence was now to be feared and the Parliament to deprive its opponents of the power of governing the country, declared that all who after that date paid or collected any tax without the consent of Parliament were guilty of high treason. Fleetwood was deprived of the chief command, which was placed in commission, and orders were given to soldiers who, it was thought, might be trusted, to defend all approaches to Westminster Hall. On the 13th of October, 1659, Lambert, at the head of a regiment of infantry, advanced on Westminster. The soldiers refused to resist him, and the power of the Parliament was again laid in the dust. No violence was needed, as the few members who had assembled had not the courage to resist, but acquiesced in their humiliation. They joined the Council of State which had assembled, and after conference it was decided

¹ Ludlow, *Memoirs*, vol. II, p. 130.

² Guizot, *Richard Cromwell*, vol. I, p. 217.

that Parliament should sit no longer, and that the Council of officers should maintain order until a new Parliament could be summoned to settle the affairs of the nation.¹

In order to understand Vane's position at this time we need to remember that he had been in a minority in the Parliament whose existence had now been so ignominiously brought to an end. It is important also to notice that along with Ludlow he had spoken and voted against the restrictions and conditions which the majority of the Parliament had inserted in the commissions of the officers.

As matters were, therefore, he was in sympathy with the army rather than with the Parliament in the present dispute, though he utterly disapproved of the length to which the army went in usurping power. He had been chosen as a member of the Committee of Safety, which took the place of the Council of State, and of a committee appointed to nominate officers in cases of vacancies occurring, but he declined to act; and his only connexion with the party now in the ascendant was that he retained under the new Government his office of commissioner of the Admiralty, to which he had been originally nominated by Parliament.² Even this connexion with the new order of things exposed him to the charge of being an accomplice of Lambert's; but the probability is that he desired to retain some power of interposition, if in any emergency he saw that he might serve the Commonwealth. Had he refused to have any connexion with the present Government he would have lost this power. This is virtually the defence which he afterwards gave of his procedure at this time.

"Although," he says, "I forbore not to keep my station, in reference to the Council of State while they sat, or as a Commissioner of the Admiralty, during the

¹ Whitelock, *Memorials*, p. 85; Ludlow, *Memoirs*, vol. I, p. 141; Carte, *Original Letters*, vol. II, p. 246.

² Guizot, *Richard Cromwell*, vol. II, p. 284; Ludlow, *Memoirs*, vol. II, p. 157.

time by them appointed to act by Parliamentary authority; and so had occasion to be daily conversant with the members of the Committee of Safety (whereof myself, with others that would not accept, were named), yet I perfectly kept myself disinterested from all those actings of the army, as to any consent or approbation of mine (however in many things by way of discourse, I did not decline converse with them), holding it my duty, to penetrate as far as I could into their true intentions and actions, but resolving in myself to hold true to my Parliamentary trust, in all things wherein the Parliament appeared to me to act for the safety and good of the Kingdom, however I was misinterpreted and judged by them, as one that rather favoured some of the army and their power."¹

The unutterable confusion into which the conflict between the Parliament and the army had plunged the country had been largely augmented by the fact that the country itself was to a considerable extent hostile to both. The solution of difficulties came from the bold yet cautious attitude taken up by Monck who was at the head of the Parliamentary forces in Scotland. He had been courted alike by the factions into which the English Republicans were divided and by the Royalists; but though he himself was secretly inclined to the Royalist side, he had skilfully avoided committing himself to either party. When Sir George Booth's insurrection broke out he had declined under some pretext or another to send troops to aid in suppressing it. Indeed he had gone so far as to prepare a letter to the Speaker casting off allegiance to the Parliament, but on the very day on which he was about to submit it to his officers for signature, he received news of Lambert's victory. The fact that the enterprise in question had been so speedily defeated convinced him that no similar attempt had any prospect of success.

Lambert's dissolution of the Long Parliament, how-

¹ *Trial of Sir Henry Vane*, p. 50.

ever, gave Monck the opportunity he desired of taking a decisive part in English affairs. On receiving the news he addressed his troops in Edinburgh. "The army in England," he said, "have broken up the Parliament, out of a restless and ambitious humour to govern all themselves, and to hinder the settlement of the nation. . . . For my own part, I think myself obliged, by the duty of my place, to keep the military power in obedience to the civil; and since you have received your pay and commission from the Parliament, it is your duty to defend it."¹ The course thus indicated he followed, and on 1 January, 1660, he crossed the Tweed with his army on his march to London. So perfect was the disguise he wore that up to the very last the Republican party was deceived by his protests against restoring the King; while the policy of restoring Parliamentary government and of securing the election of a Parliament which really represented the country gained such support that Lambert's influence completely melted away. And so a few days before Monck entered England, Fleetwood intimated to the Speaker Lenthall that the latter and his colleagues might resume their duties whenever they pleased. Accordingly, on 26 December, the Long Parliament again met at Westminster, and the old Council of State superseded the newly appointed Committee of Safety.²

In the meantime Vane had been engaged in various futile endeavours—in considering how ways and means might be devised for carrying on the Government, in planning a new constitution, in repressing Royalist schemes, and in attempting to mediate between the army and the fleet, which had declared for the restitution of Parliament, and for the absolute submission of the army to its authority.³ Every one of his plans failed, and no one of them can ever have yielded him the faintest

¹ Price, *Memoirs of Monck*, p. 44: Gumble, *Life of Monck*, pp. 133-5.

² Whitelock, *Memorials*, p. 691: *Old Parl. Hist.*, vol. XXII, p. 28.

³ Ludlow, *Memoirs*, vol. II, p. 181.

hope of success. So far, indeed, as his labours in planning a constitution were concerned he only embroiled himself more seriously with his political opponents and furnished material for one of the charges brought against him after the Restoration, when he was accused of treason. Early in November he had been appointed by the Committee of Safety one of a sub-committee of fourteen to consider a form of government for the three nations as a republic, and he had consented to act. The scheme of which he approved was one in which no king or single person was chief magistrate, which had no House of Peers, and in which there was complete religious toleration. So greatly were the drastic changes which he proposed dreaded that the lawyers and the Established clergy offered to raise £100,000 Sterling for the use of the army on condition that the officers would not listen to his advice.¹

The idea of making terms with Charles II occurred to some of the party to which Vane belonged, but the opportunity of carrying it into effect was allowed to escape. Whitelock tells us that late in the December of 1659, when it was evident to most persons that Charles would certainly be restored, and that Monck designed to expose the Parliamentary party to ruin by bringing in the King without making terms for them, he tried to persuade Fleetwood to play a decisive part. He suggested that the latter should either seize the Tower and join with the Mayor and Common Council of London in declaring for a Free Parliament, or should send an envoy to Charles II to offer his services in restoring him to his throne. The latter course was agreed upon and Whitelock undertook to be the envoy. The sequel of the story Whitelock tells very graphically, "I, going away from Fleetwood," he says, "met Vane, Desborough, and Berry in the next room, coming to speak with Fleetwood; who thereupon desired me to

¹ *Trial of Sir Henry Vane*, p. 30: Whitelock, *Memorials*, p. 685: Ludlow, *Memoirs*, vol. II, pp. 149, 159, 161, 164, 172: *Hist. MSS.*, 2nd Rept., p. 114.

stay a little; and I suspected what would be the issue of their consultation; and within a quarter of an hour Fleetwood came to me, and in much passion said to me, 'I cannot do it, I cannot do it.' I desired his reasons why he could not do it. He answered, 'These gentlemen have remembered [reminded] me; and it is true that I am engaged not to do any such thing without my Lord Lambert's consent.' I replied, that Lambert was at too great a distance to have his consent to this business, which must be instantly acted. Fleetwood again said, 'I cannot do it without him,' then I said, 'You will ruin yourself and your friends'; he said, 'I cannot help it.' Then I told him I must take my leave, and so we parted."¹

On 9 January, 1660, Vane was summoned before the Long Parliament and examined as to his proceedings since its last expulsion. He vindicated his conduct and declared that he had acted in the way in which he thought he could best promote the interests of the Commonwealth. It was voted that he should be expelled from the House, and he was ordered to retire to his house at Raby, and there to await the pleasure of Parliament.² He was, however, in no great hurry to obey. In company with Lambert, who had received similar orders, he remained in London and endeavoured to foil Monck's schemes. A month later the Sergeant-at-arms was ordered to arrest him and to convey him to Belleau, his seat in Lincolnshire.³ In an interview which he had with Ludlow before leaving London he showed that he clearly perceived the fate which threatened him and that his spirit was undaunted by it. The words which describe the parting interview of these two heroes are

¹ *Memorials*, p. 691: see also Carte, *Original Letters*, vol. II. p. 225: Kennet, *Chronicle*, p. 11.

² *Commons' Journals*, vol. VII, p. 806: Whitelock, *Memorials*, pp. 693, 694: Pepys, *Diary*, 9 Jan., 1659-60: Kennet, *Chronicle*, p. 17.

³ Pepys, *Diary*, 11-17 Feb. 1659-60: *Commons' Journals*, vol. VII, p. 841: *Old Parl. Hist.*, vol. XXII, p. 99: *Clarendon State Papers*, vol. III, p. 678: Kennet, *Chronicle*, pp. 46, 58.

well worth quoting. "Sir Henry Vane," says Ludlow, "according to the late order, was preparing to leave the town; of which having notice, I went to make him a visit at his house, where he told me that unless he were much mistaken, Monck had yet several masques to pull off, assuring me for what concerned himself, that he had all possible satisfaction of mind as to those actions God had enabled him to do for the Commonwealth, and hoped the same God would fortify him in his sufferings, how sharp soever, to bear a faithful and constant testimony thereto"¹

Vane's unpopularity was now at its highest point. A correspondent of Governor Winthrop² writes to him about this time (24 March), and says: "In this interim the House dismisses Sir H. Vane from sitting in it, as a person that had not been constant to Parliament privileges. . . . The people were pleased with this dishonour put upon him, he being unhappy in lying under the most catholic prejudice of any man I know."³ It was not surprising that this should be so, for the man of principle often incurs an enmity which the time-server skilfully escapes. Many scurrilous lampoons and satires concerning him were published at the time and have come down to us. They are more bitter and truculent than such compositions usually are, and bear witness not only to the popular hatred of him, but also to the astonishing position of power and influence which he occupied down to the day of his fall. Few political satires retain much point or humour after a period of two hundred and fifty years, but these concerning Vane seem singularly poor and dreary. One or two quotations, however, may interest our readers. Vane's name lends itself easily to puns of a somewhat obvious kind. Thus we find him referred to in pamphlets as "Sir Humorous Vanity," "humorous" being evidently used in the

¹ *Memoirs*, vol. II, p. 221.

² This is the younger Winthrop (1606-76), who had been Vane's fellow-passenger to America in 1635.

³ *Thurloe, State Papers*, vol. I, p. 767.

older sense of "fantastical." In a satire entitled "Vanity of Vanities or Sir Harry Vane's Picture," we perhaps get a glimpse of his attitude and appearance in the House of Commons when he was displeased with how matters were going.

"He sate late in the House so discontent,
With his arms folded and his brows bent,
Like Achitophel to the parliament,
Which nobody can deny.

Of this state and kingdom he is the Bane,
He shall have the reward of Judas and Cain,
And 'twas he that overthrew Charles his wain,
Which nobody can deny.

Should he sit where he did with his mischievous brain,
Or if any his counsels behind do remain,
The house may be called the labour in Vain,
Which nobody can deny."¹

Another satire upon him which appeared soon afterwards deserves notice not only because of its comparative liveliness but also because of its containing a curious reference to a supposed plan of Vane's for retaining control of affairs by alliance with Lambert. It is entitled, "Don Juan Lamberto, or a Comical History of the late Times, by Montelion the Knight of the Oracle."² The author, a Thomas Flatman, gives a burlesque account of public men during the period between the death of Oliver Cromwell and the Restoration. It is in the form of narratives like those of *The Seven Champions of Christendom*. Vane is one of the leading figures in it, and bears the name of "Sir Vane, the Knight of the Mysterious Allegories." He is represented as having been a mischief-maker from a child,

¹ *Rump Songs* (1662), vol. II, p. 108.

² Reprinted in *Somers Tracts*, vol. VII, p. 104. In another satire (27 Feb. 1659), *A Letter from Sir H. Vane to Sir Arthur Haselrig*, allusion is made to the breaking off of a match between a daughter of Vane's and a son of Lambert's.

and as having stirred up disorder both at home and in school. In the latter one of his exploits is to urge the boys to break the master's neck, and when the plot is discovered he explains his proposal allegorically and says that he meant the neck of the master's pride. He is described as very cunning and as attaining to great power by means of his craftiness. Lambert is represented as under his influence, and as agreeing to a match between his daughter who is a great beauty, and Vane's son, "the Overgrown Child."

No one would imagine from this satire that the young lady in question, Mary Lambert, was actually at one time an important pawn on the political chess-board. She had been suggested, no doubt with her father's approval, as a suitable wife for one of the princes in case an arrangement could be made for a restoration of the Stewarts by an understanding with her father. The Duke of York was first spoken of as a prospective husband for her, and afterwards Charles II was named. "The lady," we are told, "was pretty, of an extraordinary sweetness of disposition, and very virtuously and ingenuously disposed."¹ It is, indeed, a curious point of connexion between Vane and Charles I that the same young lady should have been spoken of as a possible match for sons of theirs.² The further history of the two with whose names the satirist had taken scurrilous liberties may interest our readers. Henry Vane, the statesman's eldest son, died at Copenhagen five months after the Restoration. Mary Lambert, for whose hand princes had been suggested as suitors, found a husband for herself in a son of the governor of Guernsey, where her father was a prisoner for some years after the Restoration of Charles II.³

It is a relief to contrast with the coarse and base contempt heaped upon Vane the reference made to him

¹ *S. P. Dom.*, 1659-60, pp. 235, 246: Carte, *Original Letters*, vol. II, pp. 200, 237.

² The above-mentioned burlesque is reprinted in Somers, *Tracts*, vol. VI, p. 104.

³ *D. N. B.*, "John Lambert": Whitaker, *History of Craven*, p. 259n.

at this time by his friend and disciple, Stubbe, who had the courage to write of him in the following terms. Speaking of certain calumniators, he says, "But their implacable malice hath discovered itself against no man so much as the Honourable Sir Henry Vane, one whom not to have heard of, is to be a stranger in this land; and not to honour and admire, is to be an enemy to all that is good and virtuous; one whose integrity, whose uprightness in the greatest employments hath secured him from the effects of their hatred (veiled with justice), in whom his sincere piety, zeal for the public, and singular wisdom may have raised envy and dread. Against him have they set themselves, him have they damnified in his estate,¹ prejudiced in his liberty, and laboured to disgrace unto the people of his native country."²

On 1 January, 1660, Monck's infantry began their march from Coldstream to London. The following day he crossed the Tweed with his cavalry. Everywhere in England he was favourably received as the defender of the rights of Parliament and of the liberties of the nation. At Leicester he was met by two representatives of the Parliament, and he received them with every expression of respect. With marvellous self-control and diplomatic skill he evaded all attempts to win from him an expression of opinion with regard to the future government of the country. "I am," he said, "but a servant to the Parliament in a military capacity, and these things of great and civil concernment, must be left to the judgement of the Parliament."³ On arriving at St Albans he intimated to Parliament the demand, couched in terms of profound humility, that the soldiers in London who had recently been in rebellion against Parliament might be removed and their places occupied by the

¹ This is an important reference to the oppressive proceedings of the Government of the Protector towards Vane, of which Ludlow speaks in a passage we have already quoted. See p. 268.

² *Malice Rebuked*, p. 7 (Sept. 1659).

³ Whitelock, *Memorials*, p. 694.

faithful regiments which accompanied him.¹ This arrangement was made in spite of the opposition and mutinous threats of the soldiers displaced, and on 3 February Monck entered London and was lodged by order of the Parliament in Whitehall.

A few days later matters were brought to a point and the chance of a settlement of affairs perceptibly increased by the city of London's declaring, through its constituted authorities, that it would pay no more taxes until these were levied by a full and free Parliament. This was hoisting a standard of revolt against the existing Parliament, and Monck was employed to coerce the city into obedience—a task which he undertook with ostentatious reluctance. When once public indignation, both on the part of the city and on that of his own soldiers, found full expression, Monck threw off his mask, or one of his masks. He ordered the Parliament to issue writs within a week for filling up vacancies, to bring their own meetings to an end without much further delay, and to give place to a full and free Parliament. The result of this was that the surviving members who had been excluded by Pride's Purge and others holding the same political opinions were introduced into the House, and the fate of the Republican party was sealed. It was only by perjuring himself that Monck succeeded in allaying for a moment the alarm of those whose political extinction was now threatened and for some of whom even greater risk was rapidly approaching. He declared in speaking to a party of extreme Republicans who had withdrawn from the House his opinion that the execution of Charles I had been just, and his determination to do what he could to maintain the Republic. "I do here protest to you," he said, "that I will oppose to the utmost the setting up of Charles Stewart, a single person or a House of Peers."²

¹ Guizot, *Richard Cromwell*, vol. II, p. 91.

² Ludlow, *Memoirs*, vol. II, p. 244.

The Parliament as thus renewed at once showed its opinions and purposes. It appointed Monck commander-in-Chief of all the land forces, it dissolved the Republican Council of State and formed a new Council in which the monarchical party was largely represented, and it reaffirmed its devotion to the Covenant. It also liberated the Royalists who had been imprisoned, and among them the Sir George Booth who had so recently raised insurrection, and it committed Lambert to the Tower.¹ And one of its last acts before dissolving itself was to abolish the oath which had hitherto been imposed since the Commonwealth had been erected: "I do declare and promise that I will be true and faithful to the Commonwealth of England, as the same is now established, without a King or House of Lords."² And so the Long Parliament, which had torn the sceptre from the hands of Charles I and had become the tool and then the sport of the military Frankenstein which it had called into existence, recovered its position of authority before it passed away. No long time elapsed before the army, which had been its creature and afterwards its capricious tyrant, disappeared also from the scene.

An abortive attempt at raising an insurrection in the interests of the Commonwealth, and possibly of Richard Cromwell, was made by Lambert, who escaped from the Tower.³ He was joined by some of the regicides, but the faint support which he found proved that "the old cause" was no longer one for the defence of which swords would leap from their scabbards. A great change, indeed, in English public life was rapidly taking place. Republicans and Cromwellians were discredited and virtually ceased to be a political force, while Royalists of various types, from penitent Presbyterians who had it upon their consciences that they had reduced and broken the power of Charles I, to Cavaliers who had

¹ Guizot, *Richard Cromwell*, vol. II, p. 146: *Old Parl. Hist.*, vol. XXII, pp. 136, 145.

² *Commons' Journals*, vol. VII, pp. 857, 872.

³ Ludlow, *Memoirs*, vol. II, p. 257: Whitelock, *Memorials*, p. 699.

yielded him unfailing and generous support in all his troubles, were in possession of the field. Richard Cromwell, whom the Parliament failed to relieve from the burden of debt contracted by him as Protector, fled to the Continent to escape from his creditors. After twenty years of exile he returned to England and died at Cheshunt in Hertfordshire in 1712 at the age of eighty-six years.¹ Surely few stranger vicissitudes of fortune are recorded than those which befell him. Within so brief a period from his receiving the congratulations of all the Sovereigns of Europe and pledges of the devotion and loyalty of his subjects upon his accession to power, to be a fugitive for debt under an assumed name in a foreign land!

¹ Tangye, *The Two Protectors*, p. 244.

CHAPTER XVIII

The Convention Parliament meets—Charles II restored—Vane in risk of prosecution—Exempted from the Act of Indemnity—Arrested at Hampstead—Two years in prison—Cavalier Parliament elected—Abortive insurrection of Fifth Monarchy men—Vane sent to the Scilly Isles—He anticipates the worst—He is tried for treason and found guilty.

On Wednesday, 25 April, 1660, the Parliament met, and the House of Lords assembled in their chamber, though unsummoned by any writ, as a part of the legislature.¹ To use Vane's figure, one of the two branches broken from the tree "in blustering and stormy times" was now replaced. The other made its appearance within a week. For on 1 May a letter from Charles to the Parliament was received with every manifestation of affection and respect, and steps were at once taken for his restoration to the throne.² With what feelings this event was received by the majority of the nation is told us by the diarist Evelyn who witnessed Charles's entry into London. "I stood in the Strand," he says, "and beheld it and blessed God. All this was done without one drop of blood shed and by that very army which rebelled against him; but it was the Lord's doing, for such a restoration was never mentioned in any history, ancient or modern, since the return of the Jews from the Babylonish captivity; nor was so joyful a day and so bright ever seen in this

¹ Guizot, *Richard Cromwell*, vol. II, p. 204.

² Price, *Memoirs*, p. 152; Skinner, *Life of Monck*, p. 297.

nation, this happening when to expect or effect it was past all human policy."¹

That the restoration of Charles threatened ruin to Vane, the latter well knew. The Declaration of Breda promised pardon and indemnity to all but those whom Parliament might thereafter except; and though the regicides had naturally most reason to believe themselves in special danger, Vane's grounds for anticipating a like fate with theirs were weighty enough. It was true that he had had no share in the death of Charles I, and had disapproved of the proceedings against him, but his whole public career was calculated to furnish grounds of offence to the party now in power. It might be said to have begun with the condemnation of Strafford and to have closed with his recent advocacy of a constitution in which it was declared that it was "destructive to the people's liberties to admit any earthly King or single person to the legislative or executive power over this nation."² His consummate ability, his tenacity of purpose, and his incorruptible integrity, together with opinions like this, made him formidable to the new *régime*, even although at the present moment he was the most unpopular man in the kingdom.

Vane's own conscience acquitted him of blame so far as his political career was concerned. Others with whom he had been associated were trembling for their lives, or were seeking safety in other lands; but he scorned to admit blame by taking flight. He would remain in England and, if need be, stand his trial. At the same time he declared that he would be no thorn in the side of the Government but would endeavour to live "peaceably and blamelessly." "This I can say," he said, "that from the time I saw His Majesty's Declaration from Breda, declaring his intentions and resolutions as to his return to take upon him the actual exercise of his regal office in England, and to indemnify [grant an indemnity to] all

¹ *Diary*, vol. II, p. 113.

² *Trial of Sir Henry Vane*, p. 30.

those that had been actors in the late differences and wars (as in the said Declaration doth appear), I resolved not to avoid any public question (if called thereto) as relying on mine own innocency and His Majesty's declared favour as beforesaid. And for the future I determined to demean myself with that inoffensiveness and agreeableness to my duty, as to give no just matter of new provocation to His Majesty in his government."¹

Yet even in the day of his defeat and humiliation Vane was a menace to the new *régime*. Not merely because of his past history, but because of his ability and his known opinions, it was thought impossible to let him go scot-free. When the Indemnity Bill was drawn up it was unanimously agreed in the House of Commons that he should be excepted from it. One of the members, a Mr Thomas, "moved to have somebody die for the Kingdom as well as for the King, and named Sir H. Vane."² His name was accordingly inserted in a list of twenty persons, who, though they were not stained by the guilt of actual regicide, had yet, it was thought, shown "mischievous activity" in the recent troubles, and deserved to suffer a penalty not extending to life. This, however, did not find favour with the Lords, who wished a death-sentence to be passed on Vane. Clarendon was one of the latter's bitterest enemies; while Charles offered to lay wagers that he should not escape.³ The matter was settled after several conferences between the Commons and the Lords had been held. It was agreed at Clarendon's suggestion to exclude Vane and Lambert from the benefit of the Bill, but to petition the King not to allow the infliction of a death-sentence, should they be tried and attainted. The petition was drawn up and presented, and Charles granted its request.⁴ Vane, who had left Belleau and come up to London, had been

¹ *Trial of Sir Henry Vane*, p. 48.

² *Old Parl. Hist.*, vol. XXII, p. 443.

³ Ludlow, *Memoirs*, vol. II, p. 290; Kennet, *Chronicle*, pp. 179, 236.

⁴ *Commons' Journals*, vol. VIII, p. 152; *Lords' Journals*, vol. XI, p. 163; *Old Parl. Hist.*, vol. XXII, p. 438.

arrested in his house at Hampstead,¹ while these proceedings were in progress, and committed to the Tower.²

The mere fact that Vane had been excepted from the Act of Indemnity and treated by both Houses of Parliament as a great delinquent was sufficient to bring down upon his estates a flock of harpies who regarded them as their certain prey. Though he was still untried he was treated as if he had been found guilty and condemned to forfeiture of property as well as of life. His goods, as he complained at his trial, had been at once inventoried, and his rents seized in the tenants' hands and detained from him. "The officers of great personages claimed the grant of his estate" and took the management of it away from those who were responsible to him. "By these kind of undue proceedings," he says, in speaking of himself, "the prisoner had not wherewithal to maintain himself in prison; and his debts, to the value of above £10,000, were undischarged, either principal or interest."³

Vane was two years in prison before he was brought to trial, and during this time a considerable change in public feeling took place. The tide of the Royalist reaction rose higher and higher, and the Parliament which succeeded the Convention by which Charles had been recalled was of a Cavalier type and determined to exalt the cause of Church and King, which had for so long been depressed but was now in the ascendant. The influence of this growing feeling was seen even in the last days of the Convention, when orders were given to dig up the bodies of Cromwell, Bradshaw and Ireton from their graves in Westminster Abbey and to hang them on the gallows at Tyburn, and when almost equally ignominious treatment

¹ Sir Henry Vane's house at Hampstead was partly demolished some years ago, and the present Soldiers' Daughters' Home built on the site of it. The northern half of the old building still stands (1912). A commemorative tablet to Sir Henry Vane was lately placed by the Society of Arts on the outer wall of the courtyard of the house. Bishop Butler lived here while he was preacher at the Rolls Chapel, and it is probable that the *Analogy* was written here.

² Ludlow, *Memoirs*, vol. II, pp. 285, 289.

³ Cobbett, *State Trials*, vol. VI, p. 146: *Trial of Sir H. Vane*, p. 70.

was given to the bodies of Pym and Blake. The new Parliament met on the 1st of May, 1661. In it the Presbyterians numbered only fifty. A large part of the new members were hot-headed young Royalists who were ready to go any length in their political zeal. "The most profane swearing fellows," one of their colleagues reports, "that ever he heard in his life."¹ Episcopacy was fully restored, and the Solemn League and Covenant, the creation of which had been the masterpiece of Vane's diplomacy, was by order of Parliament burned by the hangman in Palace Yard.²

Yet though the triumph of the Royalist party seemed so complete, considerable unrest existed in the country, and the Government were haunted by the fear of insurrection. The exuberant loyalty of the Restoration was on the surface and did not last long, though the Parliament in which it was embodied held office for nearly nineteen years. The disbanded army of the Commonwealth, about sixty thousand men, scattered over the country, was a source of peril. The members of it had been ardent politicians as well as most effective soldiers and were proud of victories won for the cause now under eclipse. This fact accounts to a very large extent for the repressive legislation of the early part of the reign of Charles II—the stringent laws against Nonconformity and the restraint imposed upon the liberty of the Press. Only in this way probably was armed rebellion prevented. "It must also be remembered in favour of Charles's Government," says a recent writer, "that they were unable, like modern Governments, to play with sedition and tamper with treason. There was no standing army, no police, no executive force available to put down a rising. Lord Clarendon could not flood Yorkshire with troops, as modern Governments can flood Ireland, and allow sedition to go certain lengths, feeling sure it can be stopped at pleasure. His only remedy was to enforce the law."³

¹ Pepys, *Diary*, 4 Aug. 1661.

² Kennet, *Chronicle*, p. 450.

³ Willis-Bund, *State Trials*, vol. II, part 1, XXI.

One of the indications of the disloyalty still latent in some sections of English society was the abortive insurrection of the Fifth-monarchy men early in the January of 1661. These fanatics held that allegiance was due to King Jesus alone, and they were prepared in His name to take up arms and fight against all earthly governments. They were very few in number, but the enthusiasm that possessed them made them formidable opponents, and their achievements during their brief insurrection caused widespread alarm. On Sunday, 6 January, they assembled in their meeting-house in Coleman Street, and in the evening they sallied out fully armed. They occupied St Paul's Churchyard and one of their sentinels killed a passer-by who had declared that he was "For God and King Charles." The Lord Mayor at the head of some of the trained bands attacked them, but was repulsed. The insurgents traversed the city and encamped in Caen Wood, between Highgate and Hampstead. Next day Monck dispatched some regular troops to deal with them, and after a brisk skirmish they were defeated and some thirty of them were taken prisoners. Two days later a fresh insurrection of the same kind took place, under the leadership of Venner, a wine cooper. This was only suppressed after a fierce conflict, in which about twenty of them were killed. An equal number of men belonging to the trained bands and life-guards lost their lives in this encounter, in which not more than fifty rebels were engaged. Sixteen of those taken prisoners were afterwards executed after being tried and found guilty of open treason.¹ The fact that, to use Pepys' words about the matter, "so few men should dare and do so much mischief," alarmed the Government; and there is no doubt that this feeling of insecurity led to the trial of Sir Henry Vane.² The temper of both Houses of Parliament was distinctly exas-

¹ Cobbett, *State Trials*, vol. VI, p. 105; Kennet, *Register*, pp. 354, 562; Heath, *Chronicle*, p. 471; Pepys, *Diary*, 10 Jan. 1661; Reresby, *Memoirs*, p. 143.

² Willis-Bund, *State Trials*, vol. II, part 1, p. 312.

perated by these occurrences, and a disposition was manifested to deal harshly with those political prisoners who had not yet been brought to trial.

The connexion between Venner's plot and the resolution to proceed against Vane is made quite plain by a contemporary annalist. "This desperate attempt," he says, "made the Government more jealous of Sir Henry Vane, the only man of parts and figure who had wrote in defence of those wild principles, of our Saviour coming down to erect a Fifth Monarchy upon the earth to continue for a thousand years, especially in his enthusiastic treatise, *The Retired Man's Meditations*."¹ Baillie, whose letters throw such a flood of light upon the events of his time, refers to the likelihood of Vane's being condemned to death. The callousness with which he writes of the matter is shocking. "They speak," he says, "of Sir Harry Vain and Lambert as to be tried for their life: they are two of the most dangerous men in England. Their execution will be weel enough taken by all generallie; yea, though Solicitor Saintjons [St John] should be added to them."² The time was when he had spoken of Vane with great admiration as one of "the gravest and ablest" of the nation to which he belonged.

Vane, as we have said, was two years in prison before proceedings were taken against him. Most of this time he spent in the Tower, but for the last six months of it he was confined in the Castle of St Mary's in the Scilly Isles.³ Among the State Papers at the Record Office are warrants to Sir John Robinson, Lieutenant of the Tower, to deliver him "a safe prisoner" to Captain Thomas Allin of the ship "Foresight" for conveyance to those islands, and also to Captain Allin "to receive and keep him a close prisoner for seditious and treasonable practices." His health, which had never been very robust, was now

¹ Kennet, *Chronicle*, p. 356.

² *Letters*, vol. III, p. 471.

³ Pepys, *Diary*, 30 Oct. 1661. This castle was built in 1593 by Sir Francis Godolphin, the first governor of the islands. It has salient angles resembling the rays of a star, and its original name was Stella Maria. It is now commonly called Star Castle.

broken, and it is satisfactory to know that he was treated with a measure of consideration by the authorities. His wife exerted herself to get permission for two men-servants and a maid-servant to wait upon him, and an Order in Council was passed for this arrangement to be carried out.¹ His being sent to the Scilly Isles was probably because of the Government's having heard that he had been visited in the Tower by some Fifth-monarchy men.²

The House of Commons had already petitioned the King to order the Attorney-General to bring Vane and Lambert to trial. As no immediate steps were taken in the matter repeated petitions from the same quarter were sent up, asking that this should be done—an indication quite as much of the alarm of Parliament as of their resentment against the persons in question.³ The seriousness of the position of matters was quite realized by Vane and was reflected in a letter written by him to his wife from St Mary's—some paragraphs of which we should like to quote. "My dear heart," he writes, "the wind yet continuing contrary, makes me desirous to be as much in converse with thee (having this opportunity) as the providence of God will permit; hoping these will come safe to your hand. It is no small satisfaction to me in these sharp trials, to experience the truth of those Christian principles which God, of His grace, hath afforded you and me the knowledge, and emboldened us to make the profession of. . . . This dark night and black shade which God hath drawn over His work in the midst of us may be, for aught we know, the ground-colour to some beautiful piece, that He is exposing to the light." He then speaks of Divine purposes which affliction may serve, and continues: "Nor would I have it thought that I have already attained the powerful practice of this holy duty and perfection, but it is much in my desire, aim and

¹ The various documents above referred to are quoted in Dalton's *Wrays of Glentworth*, vol. II, p. 120.

² *Ibid.*, vol. II, p. 119.

³ *Commons' Journals*, 1 July, 22 Nov. 1661; 10 Jan., 19 Feb. 1662: Kennet, *Chronicle*, p. 490.

hope. The difficult circumstances I am in, and that I am still more and more every day cast into by God's wise-disposing providence, to the sequestering me from the world, and withholding all sensible comforts from me so much as He doth, make me in some sort confident it is for a good end, and that out of love and faithfulness I am made to drink of this bitter cup, the better to help forward that necessary work in me and upon me, wherein consists the glorious liberty of the sons of God. If I may have and enjoy this, it would seem a very little matter to me to be in outward bonds, banishment, want, or any other afflictions. Help me then, in all your solitudes and cares about me, to what will further and advance this work in me."

And then, in reference to the confiscation of property which was likely to take place if he were attainted of treason, he says: "The Lord grant me and mine to be content, if He deny us to live of our own, and will bring us to the daily bread of His finding, which He will have us wait for, fresh from His own table, without knowing anything of it beforehand. Peradventure there is a greater sweetness and blessing in such a condition, than we can imagine, till we have tried it. This may add to my help, even our making little haste to get out of our troubles, patiently waiting till God's time come, wherein He will open the prison doors, either by death, or some other way, as He please, for the magnifying His own great name, not suffering us to be our own choosers in anything, as hitherto hath been His way with us.

"And why," he continues, "should such a taking up sanctuary in God and desiring to continue a pilgrim and solitary in this world, whilst I am in it, afford still matter of jealousy, distrust and rage, as I see it doth, to those who are unwilling that I should be buried and lie quiet in my grave where I now am. They that press so earnestly to carry on my trial, do little know what presence of God may be afforded me in it and [in the] issue out of it, to the magnifying of Christ in my body, by life or by death.

Nor can they, I am sure, imagine how much I desire to be dissolved and to be with Christ, which of all things that can befall me, I account best of all. And till then, I desire to be made faithful in my place and station, to make confession of Him before men and not deny His name, if called forth to give a public testimony and witness concerning Him. What then will the hurt be, that I can or shall receive by the worst that man can do unto me, who can but kill the body, and thereby open my prison door, that I may ascend into the pleasures that are at Christ's right hand, prepared for those that testify and openly discover their love to Him, by not loving their lives unto the death. . . . If the storm against us grow still higher and higher, so as to strip us of all we have, the earth is still the Lord's and the fulness thereof: He hath a good storehouse for us to live upon. . . . God can, and, if He think fit, will chalk out some way, wherein He may appear by His providence to choose for us, and not leave us to our own choice. And being contracted into that small compass, which He shall think fit to reduce us unto, we may perhaps meet with as true inward contentment, and see as great a mercy in such a sequestration from the world, as if we were in the greatest outward prosperity." And he concludes by saying: "I know nothing that remains unto us, but like a tossed ship in a storm, to let ourselves be tossed and driven with the winds, till He that can make these storms to cease, and bring us into a safe haven, do work out our deliverance for us. I doubt not but you will accordingly endeavour to prepare for the worst."¹ For himself he had been long prepared for the worst man could do to him; and in some of his meditations on death written in his island prison we hear his words of assured, triumphant faith. "Death," he says, "instead of taking away anything from us gives us all. . . . It doth not bring us into darkness but takes us out of darkness. . . . It brings us out of a dark dungeon, through the crannies whereof our sight of light is but weak and

¹ *Epistle General to the Mystical Body of Christ*, p. 94. The date is 7 Mar. 1662.

small, and brings us into an open liberty, an estate of light and life, unvailed and perpetual.”¹

Early in April, 1662, Sir Henry Vane was brought from the Scilly Isles to London with a view to his trial, and was again imprisoned in the Tower. He was now more jealously guarded than before. His wife was not allowed to see him, and he was debarred leaving his cell to take exercise in the Tower. As his health was seriously affected by his long imprisonment, his wife again petitioned the King on his behalf. The document ran as follows: “The petition of the Lady Vane for leave to go to her husband and that he may with his keeper have leave to walk in the Tower. To the King’s most excellent Majestie, the humble petition of Frances Vane, wife to Sir Henry Vane, prisoner in the Tower, humbly sheweth: that your petitioner by your Majestie’s gracious favour has been allowed the libertie of visiting her husband till very lately, that it hath been denied, without any cause given on her part, though she fears she may have been misrepresented to your Majestie, to whom she dare humbly affirm her own innocence.

“In consideration whereof, she, your Majestie’s petitioner, presumes in all humility to beg not only a renewal of the former liberty allowed of access to her husband, but also the additional favour of leave for him, with his keeper, to take the air of the Tower, a great indisposition of health growing upon him, which obliges your petitioner earnestly to beseech this freedom from your Majestie’s favour, it being no more than what is given to others at this time. And your petitioner shall ever pray,” etc.² It is not, however, likely that this pathetic appeal had any effect in modifying the rigour of Vane’s imprisonment, or that his wife or any of his friends had liberty to visit him until after his trial and condemnation to death.³

¹ *Trial of Sir Henry Vane*, p. 127.

² Dalton, *Wrays of Glentworth*, vol. II, p. 121.

³ *Trial of Sir Henry Vane*, p. 77.

In the Easter term of 1662 indictments against Vane and Lambert were presented by the Attorney-General, Sir Geoffrey Palmer, to a grand jury of the county of Middlesex. True bills were found against them on 2 June and Vane was thereupon brought up for trial.¹ In reading the record of the proceedings against him one is struck by the apparent harshness to which he was subjected and needs to remember that this was characteristic of all trials for treason in those days. The person arraigned as a traitor was regarded as an enemy to society to be dealt with by summary methods of procedure. He received no copy of the indictment and so was unable to frame his defence and summon his witnesses until after his trial had actually begun and he could not claim the benefit of having counsel to defend him. Vane protested against the hardship inflicted upon him in both of these matters, and, indeed, he was inclined at first not to plead but to allow his enemies to destroy him in any way they chose to adopt. But on being distinctly promised the help of counsel he pled not guilty. He was then told that the judges would act as his counsel—an arrangement which both he and, one would suppose, all impartially minded persons would consider to be no adequate fulfilment of the promise. So great, indeed, at that time was the subserviency of judges to the Government on which they were dependent, that to refer a prisoner whom the Government was prosecuting to their protection was very like cruel mockery.

Four days later (6 June) the trial was opened. The Sheriff returned forty-eight freeholders of the county of Middlesex, and of these twelve were sworn as jurymen.² Stripped of its formal phraseology the indictment against Vane pronounced that Charles II having succeeded to the kingly office on the death of his father, all acts done

¹ Willis-Bund, *State Trials*, vol. II, part 1, p. 313.

² The names of the jury were as follows: Sir William Roberts, Sir Christopher Abdy, John Leech, Daniel Cole, John Stone, Daniel Brown, Henry Carter, Thomas Chelsam, Thomas Pitts, Thomas Upman, Andrew Brent, William Smith. (*Trial of Sir Henry Vane*, p. 96.)

to the keeping of him out were high treason as being virtually attempts to destroy the King and his government. The specific charges against him were his granting a warrant to officers of the navy on the day of the execution of Charles I, his being a member of the House of Commons which set up the Council of State, his acting as a member of that Council, and his appearing at the head of a company of soldiers in Southwark, when troops were raised to suppress the insurrection under Sir George Booth.

The offences with which Vane was charged had all reference to acts committed during the reign of the present King, and this was counted, as we have said, as beginning not from the time of his restoration, but from the day on which his father was beheaded. It was only, indeed, by adopting that mode of reckoning that a charge of treason could be brought against Vane. It involved the absurdity of affirming that Charles II was *de facto* as well as *de jure* Sovereign at the time when he was a fugitive from England, and that all the acts which were done to the keeping of him out of the exercise of his regal office during the twelve years of interregnum were high treason. According to this principle every member of the various so-called Parliaments that had sat during those years, every Government official, every officer, military and naval, and every private soldier and constable who had acted during that time might have been condemned to death. Indeed, there was scarcely anyone of age in the whole kingdom who might not have been found guilty of treason on the ground of having supported the Government of the powers that then were, even by submitting to its authority or paying rates and taxes for its support. The grotesqueness of this position one scarcely needs to point out. Some, no doubt, would be inclined to call Vane's condemnation in the circumstances a judicial murder; and, indeed, to sentence him to death for reasons which might have been alleged with equal force against almost any person of age in the land

scarcely deserves any other name. Sir Henry asked with great pertinence if this were the law might it not have hindered his Majesty's restoration if it had been generally known and understood that it was so. "To make," he said, "the security and safety of all the people of England to depend upon a pardon, which might have been granted or denied, and not upon the sure foundations of common law, was certainly a very strange opinion, to say no more."¹

The two main contentions on which Vane rested his whole defence were that a Parliament was not accountable to any inferior court, and that the King being out of possession and the supreme power being exercised by others it was unreasonable and unjust to call him to account, as though he had rebelled against a King "regnant and in actual possession of the crown." And surely a moment's consideration will convince unprejudiced minds that in this matter Vane was in the right. He was called in question for acts transacted in the Parliament of which he was a member or by its authority, and he asserted that he ought not to be examined concerning his behaviour by any court inferior to Parliament. The reply of his prosecutors was that the authority of the Long Parliament ceased upon the King's death—that a Parliament being called to consult with a King it is necessarily dissolved when he can no longer avail himself of its services.² This legal view of matters was quite accurate, and the Long Parliament in its mutilated form may have had no right to exist from 30 January, 1649. But over against this technical decease had to be set the undeniable and amazing vitality of the body in question. It had survived mutilation and suspension and expulsion, and at the end of its existence it had called into being the Convention Parliament by which Charles himself had been restored. One would have thought that

¹ *Trial of Sir Henry Vane*, p. 44.

² That Parliament was dissolved on the demise of the Crown was the law until the reign of Queen Victoria.

no one could have contemplated the history of the past twelve years without recognizing the truth and felicity of Vane's representation of matters. The constitution had been like a tree that had been deprived of its branches and the life of which had retired into the root. From that root a prosperous growth had again proceeded, the lost branches had been replaced and the tree had recovered its pristine vigour. No one who valued the new order of things could reasonably deny the validity of the authority by which it had been called into being. The Long Parliament might have been legally non-existent from the moment of Charles I's death, but its real and unquenchable vigour was a notorious fact, as the present condition of King, Lords and Commons in well-constituted form plainly proved.

His feet were on quite as firm ground in the second of his contentions, viz., that treason could not be committed against a King *de jure* and out of possession. On the statute-book was a law which dealt with this matter. According to the terms of the statute 11 Hen. VII, c. 1, it was affirmed that subjects were bound to obey "their King and sovereign lord for the time being," and that if they did so they could not be convicted or attainted of high treason, should his power and place be seized by a rival. "The word King," he contended, "also may and ought to be taken largely for any sovereign power in a King or Queen . . . and why not by the same reason in a Protector, though a usurper, or any other persons, one or more, in whom sovereignty is lodged, or that have all the badges of sovereignty; as the calling of Parliaments, enacting of laws, coining of money, receiving foreign ambassadors, etc. His Majesty that now is is granted by the very indictment to have been then out of possession: if so, then was there either some other King, or what was equivalent, some sovereign power in actual possession and exercise, or none? If the former, was there a King *de facto*, so no treason could be committed against him that was King *de jure*; if the latter, the

Government was dissolved, no allegiance was due to any persons, and so no offence could be properly treason within the Statute. But had the late Protector had the name and style of a King, no treason could have been committed against the King *de jure* only. Now God forbid," he added, "that you should give away my life upon such niceties, because a usurping Protector was not clothed with the title as well as power of a King."¹

The spirit and force and eloquence with which Vane defended himself created a profound impression. A strong revulsion of popular feeling in his favour took place and probably he now exercised an influence upon public opinion far greater than any which he had ever had. That Charles II was thoroughly alarmed at the effect which his words might produce is evident from a letter written by him to Clarendon on Saturday, 7 June, the day after the trial began. It ran as follows: "Hamp-ton Court, Saturday, two in the afternoon: The relation that has been made to me of Sir Henry Vane's carriage yesterday in the hall, is the occasion of this letter, which, if I am rightly informed, was so insolent as to justify all he had done, acknowledging no supreme power in Eng-land but a parliament, and many things to that purpose. You have had a true account of all; and if he has given new occasion to be hanged, certainly he is too dangerous a man to let live, if we can honestly put him out of the way. Think of this, and give me some account of it to-morrow, till when I have no more to say to you. C.R."² That Clarendon was ashamed of the part which he had taken in this matter may be inferred from the fact that in his autobiography, which is virtually a continuation of his *History of the Rebellion*, he makes no allusion whatever to the trial and execution of Vane among the events of the year 1662.

The calmness and self-possession which Vane had shown from the first never deserted him, though in the course of

¹ *Trial of Sir Henry Vane* p. 69.

² Harris, *Life of Charles II*, vol. II, p. 34.

the proceedings there was much to provoke him to anger. Finch, the Solicitor-General, in the concluding speech for the prosecution transgressed all bounds of decency. He insisted that Vane "must be made a public sacrifice," without giving any reason why this was necessary. In reference to the prisoner's request for counsel, he asked brutally, "What counsel did the prisoner think would, or durst, speak for him, in such a manifest case of treason, unless he could call down the heads of those his fellow-traitors, Bradshaw or Cook, from the top of Westminster Hall?"¹ Still worse than the coarseness of this allusion to the illustrious dead was his action in holding a whispered conversation with the foreman of the jury before the latter retired to consider their verdict.² Not that the jury needed to be warned against showing mercy to the prisoner. Their minds were soon made up and they were unanimous: for in half an hour they returned to court with a verdict of guilty. Vane was at once taken back to the Tower, with the view of being brought up some days later to receive sentence.

For ten hours on that day Vane stood at the bar defending himself and the cause which he represented. He had no interval for rest, and although food was sent him he never touched it. Yet when the verdict was pronounced he left the court, Sikes tells us, "cheerfully and pleasantly, as thought worthy to suffer for the name of Christ." "And he was so raised and full of rejoicing that evening," the same authority tells us, "at the place of his confinement in the Tower, that he was a wonder to any that were about him."³ Some of his friends tried to persuade him to make some submission to the King and thus to attempt to save his life. His only reply was that, "If the King did not consider himself more concerned for his honour and word, than he [Vane] did for his life, he was very willing they

¹ *Trial of Sir Henry Vane*, p. 75.

² *Ibid.*, p. 75.

³ *Ibid.*, p. 36.

should take it. Nay, I declare," said he, "that I value my life less in a good cause, than the King can do his promise."¹ When some others spoke of giving some thousands of pounds for his life, he said, "If a thousand farthings would gain it he would not give it; and if any should attempt to make such a bargain he would spoil their market. For I think," he said, "the King himself is so sufficiently obliged to spare my life, that it is fitter for him to do it than [for] myself to seek it."²

It was, therefore, left for Charles to seek some "honest" or some other way to escape from his promise. The Chief Justice, Foster, went out to Hampton Court to advise him upon the matter. He declared that the King was under no obligation to keep his word, for "that God, though full of mercy, yet intended his mercy only to the penitent."³ If such blasphemous cant deserved any answer one might say that the King's promise was unconditional, and was not dependent upon the prisoner's being in a frame of mind of which he might approve. The argument of the Chief Justice agreed only too well with the King's inclination, and so a death sentence was resolved upon.

That Charles's procedure in this matter was a shameful crime few persons, we suppose, would be bold enough to deny. The Houses of Parliament which excluded Vane from the Act of Indemnity, had contemplated his being brought to trial, even if their procedure in excluding him were not virtually a request that he should be tried. But they had been careful to petition that, if he should be found guilty of treason, he should not be put to death.⁴ This petition Charles II had granted, and one would have supposed that a motion passed by both Houses, and accepted by the King, would have had all the force of an Act of Parliament providing for Vane's safety. Indeed it is impossible to distinguish between what

¹ *Trial of Sir Henry Vane*, p. 81.

² *Ibid.*, p. 81.

³ *Ibid.*, pp. 73, 55.

⁴ *Ibid.*, p. 73.

was done and a formal Act of the kind specified. The mere fact that a Parliament of a more Cavalier type than that which had petitioned for Vane's life being spared was now in office, and that in calling for his trial it had made no similar proviso doubtless suggested the course which was actually taken. But surely the King was bound in honour by what had already occurred to spare Vane's life, if a death-sentence were passed upon him. Many evil actions are recorded of Charles, but it seems to us that no one of them approaches the guilt of shedding Vane's blood. A craven fear of the accused's strength of character, or of the political influence which he might exert, led the King to stain his honour by breaking his plighted word.

But though in reference to Vane's execution we may speak of

“The deep damnation of his taking-off”

we are willing to admit that the proceedings at his trial had a certain colour of legality attaching to them—that inequitable though they were, technical grounds for them may possibly have approved themselves to the minds of his judges. The records which we have of the proceedings in question contain many doubtful matters which are difficult to decide, and which there was neither leisure nor inclination to elucidate. We cast no doubt upon the good faith of the judges or even upon their desire to come to a just decision; but we firmly hold that, if equity may be set up against legal technicality, Vane's defence of himself was both ample and weighty.

CHAPTER XIX

Vane is brought up to receive sentence—He lodges a Bill of Exceptions—The judges refuse to receive it—He calls for the Petition of Parliament on his behalf and the King's agreement to it—They are read—Sentence of death passed upon him—Parting scenes—His speech on the scaffold interrupted—He dies with great fortitude—Review of his career.

On Wednesday, 11 June, Sir Henry Vane was brought up to receive his sentence, and before it was passed, he was asked, according to custom, if he had anything to say why a death-sentence should not be passed upon him. He had a great deal to say. He first of all stated that he had not heard his indictment in its original terms, what was read to him having been an English version of the Latin in which it was drawn up, and he asked that it might be read. After some debate it was agreed to satisfy him on this point. He then went on to ask that counsel might be assigned him to consider the indictment, otherwise it was not worth while reading it. This was refused, and he passed from the matter.¹

He then astonished the court by formally lodging what was called a Bill of Exceptions. This document is printed in the records of the trial, and is an extremely able statement by Vane of the illegality of procedure in connexion with his case, in his imprisonment, in the transactions at the Grand Jury, and in the present trial. With regard to the last mentioned item he challenged

the jurisdiction of the court, the indictment which had been drawn up against him and the evidence which had been led. And to the Bill he added an appendix in which he stated grounds which seemed to show clearly that there had been a conspiracy to deprive him of "life and estate under colour and pretence of justice." The Bill of Exceptions was drawn up in accordance with a statute of the reign of Edward I, which had been framed for the benefit of those who considered themselves aggrieved by judicial procedure. Such persons could draw up statements of the particulars in which they considered that injury had been done them, and insist upon the judges signing the document. Armed with this they could proceed against the judges, or, in case of their death, against their executors and administrators; to obtain compensation for the injury done. The court declared that this legal process had not been in use for at least a hundred years past, but Vane insisted that the statute on which it was based was unrepealed and was therefore still in force. The matter was then considered and the judges decided that the process in question was applicable to civil and not to criminal cases. According to the statute itself criminal cases as well as civil seemed to be referred to; but in the interpretation of a law the decision of judges has naturally great weight. We have, therefore, no reason to believe that the Chief Justice and his colleagues acted unfairly or even unreasonably in declining to receive the Bill of Exceptions.¹

Sir Henry then demanded that the petition of the Houses of Parliament in his favour, and the King's answer granting it might be read.² After some debate

¹ *Trial of Sir Henry Vane*, p. 52: Willis-Bund, *Select Cases*, vol. II, part 1, p. 312.

² The petition is as follows: "The petition of both Houses of Parliament to the King's most excellent Majesty, on the behalf of Sir Henry Vane and Col. John Lambert, after they left them incapable of having any benefit of the Act of Indemnity: To the King's most excellent Majesty, the humble Petition of the Lords and Commons assembled in Parliament, sheweth, That your Majesty having declared your gracious pleasure to proceed only against the immediate murderers of your royal father: we, your Majesty's most humble subjects, the Lords and Commons assembled, not finding Sir

it was agreed to do as the prisoner desired; and so the documents were read in open court.¹ The obligation in the matter under which the King lay to spare his life was, therefore, made as notorious as possible and his infamy in repudiating it was brought home to every hearer.

The fourth and last matter which Vane brought before the notice of the Bench was that there were in his case questions concerning matters of law which required solution, and he again asked that counsel might be appointed to discuss them before their lordships. He proceeded to suggest some of these questions, viz.: 1. "Whether a Parliament were accountable to any inferior Court?" 2. "Whether the King, being out of possession and the power regent [? regnant] in others"—Here the Court broke into disorder. He was not allowed to proceed, and was assured emphatically that the judges did not admit that the King was ever out of possession. To this Sir Henry replied that the words of his indictment ran thus, "'that he [had] endeavoured to keep out his Majesty,' and how could he keep him out of the realm, if he were not out." And with this logical triumph the contest ended. For we are told, "When he saw they would over rule him in all, and were bent upon his condemnation, he put up his papers, appealing to the righteous judgement of God, who, he told them, must judge them as well as him." As he concluded by saying that he was satisfied to die in support of this testimony, Keeling, one of the King's Counsel, said with a ferocious sneer, "So you may, Sir, in good time,

Henry Vane nor Col. Lambert to be of that number, are humble suiters to your Majesty, that if they shall be attainted, that execution as to their lives may be remitted, and as in duty bound," etc. "The said petition being read, it was agreed to, and ordered to be presented to his Majesty by the Lord Chancellor. The Lord Chancellor reported that he had presented the petition of both Houses to the King's Majesty concerning Sir Henry Vane and Col. Lambert, and his Majesty grants the desires in the said petition. (Signed) John Browne, Cler. Parliamentorum." It is pleasing to remember that the King and Lord Chancellor, who had been accomplices in the murder of Vane, soon afterwards fell out, and that Charles drove the Lord Chancellor into exile.

¹ *Trial of Sir Henry Vane*, p. 54.

by the grace of God.”¹ The insolence of the hireling, however, probably did not distress Vane. “Let us not speak of it, but look and pass.”

Thereupon the usual sentence of death was passed upon him, though, for some reason or another, in the actual carrying out of it simple beheading was substituted for execution with all the frightful details which were customary in cases of treason.² The whole proceedings in connexion with his trial and death were very soon transacted. His trial took up two days, Friday and Saturday, the 6th and 7th of June. On the following Wednesday (11 June) he received sentence, and the Saturday thereafter (14 June) was the day of his execution.

It was very noticeable with regard to Vane’s demeanour at this time that he was far more than resigned to his fate as inevitable. Though he had the reputation of being somewhat timid in disposition, he met death with an exaltation and fervour of mind like those of a religious martyr whose faith enables him to triumph over death. Strangely enough, Lambert, whose bravery had been manifested on many a battle-field, quailed before the terrors of a court of law. His servile submission to the Government and his appeal for mercy secured for him a commutation of the death-sentence which had been passed upon him. He remained in prison for some twenty-two years, first in Guernsey, and then in the Island of St Nicholas, in Plymouth Sound, and died in the end of March 1684.³

A vivid description is given by Sikes of the fortitude manifested by Vane in the short interval between his sentence and his death. “On this day, Friday, the day before his execution,” he says, “liberty being given to friends to visit him in the Tower, he received them with very great cheerfulness, and with a composed frame of

¹ *Trial of Sir Henry Vane*, p. 54.

² *Ibid.*, p. 52.

³ *D. N. B.*, “John Lambert”: Whitaker, *History of Craven*, p. 260n; Kennet, *Chronicle*, p. 704.

spirit, having wholly given himself up to the will of God. He did occasionally let fall many gracious expressions, to the very great refreshing and strengthening of the hearts of the hearers. To wit, 'that he had for any time these two years made death familiar to him, and being shut up from the world,' he said, 'he had been shut up with God, and that he did know what was the mind of God to him in this great matter; but, that he had not the least recoil in his heart, as to matter or manner of what was done by him; and though he might have had an opportunity of escaping, or by policy might have avoided his charge, yet he did not make use of it, nor could decline that which was come upon him.'"¹

The record we have of Vane's parting exhortations to his family and friends and of his last prayers is very full, but we shall only quote a few sentences from it. His two surviving sons, Thomas and Christopher, were children of ten and nine years of age respectively. From the absence of any special reference to them in his words of counsel to his children one judges that the boys were spared the shock of taking leave of their father. Those whom he addresses are his daughters, and his words to them are full of love and tenderness. "You have no cause," he said, "to be ashamed of my chain; or to fear being brought into the like circumstances I now am in, so it be on as good an occasion, for the name and cause of Christ, and for His righteousness' sake. Let this word abide with you, whatever befalls you: Resolve to suffer anything from men, rather than sin against God; yea, rejoice and be exceeding glad, when you find it given to you on the behalf of Christ, not only to believe in Him, but to suffer for His name."² In his advice to them with regard to their religious life his words break out into that strain of eloquence and beauty which is characteristic of him. "Amidst the great variety of Churches and ways of worship," he says, "that this

¹ *Trial of Sir Henry Vane*, p. 77.

² *Sikes, Life of Sir Henry Vane*, p. 150.

world abounds in, be not by any means induced or forced to observe and become subject to the ordinances of man in things pertaining unto God. 'Give unto God the things that are God's: give also unto Cæsar the things that are his.' If he unlawfully require more, you may lawfully refuse to obey him; let him take his course; wherein any deal proudly God will be above them. If one Church say, 'Lo! here is Christ,' another 'Lo! there'; and the trumpet that's blown in both, give but an uncertain sound, look up to Christ Himself with the Spouse in the Canticles, and say, 'O Thou whom our souls do love, tell us where Thou feedest and makest Thy flock to rest at noon' under the scorching heat of man's persecuting wrath."¹ And then, with his face set to that eternal world in which his thoughts had so long dwelt, he bade adieu to the dearest earthly ties as belonging to an order of things from which he was passing. His words perhaps seem tinged with an asceticism unfamiliar and unwelcome to those whose religious faith is less intense than his, but they have a power of their own. "Then kissing his children, he said, 'The Lord bless you, He will be a better Father to you. I must now forget that ever I knew you. I can willingly leave this place and outward enjoyments, for those I shall meet with hereafter, in a better country. I have made it my business to acquaint myself with the society of heaven. Be not you troubled, for I am going home to my Father.'"²

At the untimely hour of midnight he was roused from sleep by the Sheriff's chaplain, who told him that he was bringing him the fatal message of death, the warrant for his execution on the next day (14 June). After receiving it he fell asleep again, and slept soundly for four hours.³ Early next forenoon his family and friends met with him, and he prayed with them and took final leave of his wife and children. He told a friend,

¹ Sikes, *Life of Sir Henry Vane*, p. 157.

² *Trial of Sir Henry Vane*, p. 79.

³ *Ibid.*, p. 84.

"God bade Moses go to the top of Mount Pisgah and die, and so He bade him now go to the top of Tower-hill and die."¹

Some few paragraphs from the narrative of an eye-witness give us a vivid picture of the closing scenes of his life. Some of them we shall quote. His speech upon the scaffold we shall give in full, as his own vindication of the career which we have tried to describe. "Then," says our informant, "Mr Sheriff coming into the room, was friendly saluted by him [Vane], and after a little pause communicated a prohibition that he had received which was, that he must not speak anything against his Majesty or the Government. His answer to this he himself relates on the scaffold. He further told Mr Sheriff he was ready: but the Sheriff said he was not, nor could be this half hour yet; 'Then, Sir, it rests on you, not on me,' said Sir Henry, 'for I have been ready this half-hour.'

"After this . . . he went very cheerfully and readily down the stairs from his chamber, and seated himself on the sled² [sledge], friends and servants standing about him, then he was forthwith drawn away towards the scaffold. As he went, some in the Tower, prisoners as well as others, spake to him, praying the Lord to go with him. And after he was out of the Tower, from the tops of houses and out of windows, the people used such means and gestures as might best discover at a distance their respects and love to him, crying aloud, 'The Lord go with you, The great God of Heaven and earth appear in you and for you'; whereof he took what notice he was capable [of] in those circumstances, in a cheerful manner accepting their respect, putting off his hat and bowing to them. . . . Being passed within the rails on Tower-Hill, there were loud acclamations of the people, crying out, 'The Lord Jesus go with your dear soul.' . . . Being come

¹ *Trial of Sir Henry Vane*, p. 82.

² The sledge was employed to add dishonour to the proceedings. For the form of the word cf. *Hamlet*, Act. I, Scene 1. "The sledded Polacks."

to the scaffold he cheerfully ascends, and being up, after the crowd on the scaffold was broken in two pieces, to make way for him, he showed himself to the people on the front of the scaffold, with that noble and Christian-like deportment, that he rather seemed a looker-on, than the person concerned in the execution, insomuch that it was difficult to persuade many of the people that he was the prisoner. But when they knew that the gentleman in the black suit and cloak, with a scarlet silk waistcoat (the victorious colour showing itself at the breast), was the prisoner, they generally admired that noble and great presence he appeared with. 'How cheerful he is!' said some; 'he does not look like a dying man!' said others; with many like speeches, as astonished with that strange appearance he shined forth in.

"Then, silence being commanded by the Sheriff, [Vane] lifting up his hands and eyes towards heaven, and then resting his hands on the rails, and taking a very serious, composed and majestic view of the great multitude about him, spake as followeth: 'Gentlemen, Fellow-countrymen, and Christians, When Mr Sheriff came to me this morning, and told me that he had received a command from the King, that I should say nothing reflecting upon his Majesty or the Government; I answered, I should confine and order my speech, as near as I could, so as to be least offensive, saving my faithfulness to the trust reposed in me, which I must ever discharge with a good conscience unto death; for I ever valued a man according to his faithfulness to the trust reposed in him, even on his Majesty's behalf, in the late controversy.

"And if you dare trust my discretion, Mr Sheriff, I shall do nothing but what becomes a good Christian and an Englishman; and so I hope I shall be civilly dealt with.

"When Mr Sheriff's Chaplain came to me last night about twelve of the clock, to bring me as he called it the fatal message of death, it pleased the Lord to bring

that Scripture to my mind in the third of Zachary,¹ to intimate to me that He was now taking away my filthy garments, causing mine iniquities to pass from me, with intention to give me change of raiment, and that my mortal should put on immortality.

“‘I suppose you may wonder when I shall tell you that I am not brought hither according to any known law of the land. It is true, I have been before a Court of Justice, (and am now going to appear before a greater Tribunal, where I am to give an account of all my actions), under their sentence I stand here at this time. When I was before them, I could not have the liberty and privilege of an Englishman, the grounds, reasons, and causes of the actions, I was charged with, duly considered. I, therefore, desired the judges that they would set their seals to my Bill of Exceptions. I pressed hard for it again and again, as the right of myself, and every free-born Englishman, by the law of the land, but was finally denied it’——

“‘Here Sir John Robinson, Lieutenant of the Tower,² interrupted him, saying, ‘Sir, you must not go on thus,’ and (in a furious manner, generally observed [to be] even to the dissatisfaction of some of their own attendants) said, that he railed against the judges, and that it was a lie, ‘and I am here,’ says he, ‘to testify that it is false.’

“‘Sir Henry Vane replied, ‘God will judge between me and you in this matter. I speak but matter of fact and cannot you bear that? ’Tis evident the judges have refused to sign my Bill of Exception’—— Then the trumpets were ordered to sound or murre in his face, with a contemptible [contemptuous] noise, to hinder his being heard. At which Sir Henry, lifting up his hand and then laying it on his breast, said, ‘What mean you, gentlemen? is this your usage of me? did you use

¹ Zach. iii, 3, 4.

² Sir John Robinson, created a Baronet by Charles II, 1660: Lord Mayor of London, 1663: “a talking, bragging, buffle-headed fellow” (Pepys, *Diary*, 17 Mar. 1662-3).

all the rest so? I had even done as to that, could you have been patient, but seeing you cannot bear it, I shall only say this, that whereas the judges have refused to seal that with their hands that they have done, I am come to seal that with my blood that I have done. Therefore, leaving this matter, which I perceive will not be borne, I judge it meet to give you some account of my life.

“I might tell you I was born a gentleman, had the education, temper and spirit of a gentleman, as well as others, being, in my youthful days, inclined to the vanities of this world, and to that which they call “good-fellowship,” judging it to be the only means of accomplishing a gentleman. But about the fourteenth or fifteenth year of my age, which is about thirty-four or five years since, God was pleased to lay the foundation or ground-work of repentance in me, for the bringing me home to Himself, by His wonderful rich and free grace, revealing His Son in me, that by the knowledge of the only true God and Jesus Christ whom He hath sent, I might, even whilst here in the body, be made partaker of eternal life, in the first fruits of it.

“When my conscience was thus awakened, I found my former course to be disloyalty to God, profaneness, and a way of sin and death, which I did with tears and bitterness bewail, as I had cause to do. Since that foundation of repentance laid in me, through grace I have been kept steadfast, desiring to walk in all good conscience towards God and towards men, according to the best light and understanding God gave me. For this I was willing to turn my back upon my estate, expose myself to hazards in foreign parts; yea, nothing seemed difficult to me, so I might preserve faith and a good conscience, which I prefer before all things; and do earnestly persuade all people rather to suffer the highest contradictions from men, than disobey God by contradicting the light of their own conscience. In this it is I stand with so much comfort and boldness before you all this day,

and upon this occasion; being assured that I shall at last sit down in glory with Christ at His right hand. I stand here this day to resign up my spirit into the hands of that God that gave it me. Death is but a little word, but 'tis a great work to die, it is to be but once done and after this cometh the judgement, even the judgement of the great God, which it concerns us all to prepare for. And by this act I do receive a discharge, once for all, out of prison, even the prison of the mortal body also, which to a true Christian is a burdensome weight.

“‘In all respects wherein I have been concerned and engaged as to the public, my design hath been to accomplish good things for these nations.’ Then lifting up his eyes and spreading his hands he said, ‘I do here appeal to the great God of heaven, and all this Assembly or any other persons, to show wherein I have defiled my hands with any man’s blood or estate, or that I have sought myself in any public capacity or place I have been in.

“‘The Cause was three times stated.

“‘1. In the Remonstrance of the House of Commons.¹

“‘2. In the Covenant, the Solemn League and Covenant’——

“Upon this the trumpets sounded, the Sheriff caught at the paper in his hand, and Sir John Robinson, who at first had acknowledged that he had nothing to do there, wishing the Sheriff to see to it, yet found himself something to do now, furiously calling for the writers’ books,² and saying, ‘He treats of rebellion and you write it.’ Hereupon six note-books were delivered up. The prisoner was very patient and composed under all these injuries and soundings of the trumpets several times in his face, only saying, ‘’Twas hard he might not be suffered to speak; but,’ says he, ‘my usage from man is no harder than was my Lord and Master’s: and all that will live His life this day must expect hard dealing from

¹ Presented to Charles I, 1 Dec., 1641.

² Vane’s words were being taken down by friends.

the worldly spirit'— The trumpets sounded again, to hinder his being heard.¹ Then again Robinson and two or three others endeavoured to snatch the paper out of Sir Henry's hand, but he kept it for a while, now and then reading part of it; afterwards tearing it in pieces he delivered it to a friend behind him, who was presently forced to deliver it to the Sheriff. Then they put their hands into his pockets for papers, as was pretended, which bred great confusion and dissatisfaction to the spectators, seeing a prisoner so strangely handled in his dying words. This was exceedingly remarkable, in the midst of all this disorder, the prisoner himself was observed to be of the most constant, composed spirit and countenance, which he throughout so excellently manifested that a Royalist swore 'he died like a prince.' ”²

After this disgraceful scene, which surely has seldom been paralleled in the history of any civilized or Christian country, the prisoner knelt down and prayed. His words are recorded, but we need not quote more of them than the final sentence, which was: “Thy servant, that is now falling asleep, doth heartily desire of Thee that Thou wouldest forgive them, and not lay this sin to their charge.”³ One of those standing beside him upon the scaffold asked him why he had not prayed for the King. On which he replied: “You shall see I can pray for the King; I pray God bless him.”

He remarked that the King had given his body to his friends, and, therefore, he told them that he hoped they would be civil to his body when dead, and desired they would “let him die like a gentleman and a Christian, and not crowded and pressed as he was.” As he was being prepared for the block he asked those assisting him to take care not to hurt a blister or issue upon his neck—a trifling circumstance, but one which indicates

¹ See also Ludlow, *Memoirs*, vol. II, p. 338: *Rawdon Papers*, p. 116.

² *Trial of Sir Henry Vane*, pp. 84–9.

³ *Ibid.*, p. 95.

his self-possession and calmness in the presence of death.¹

Before the stroke he exclaimed: "I bless the Lord who hath accounted me worthy to suffer for His name. Blessed be the Lord that I have kept a conscience void of offence to this day. I bless the Lord I have not deserted the righteous cause for which I suffer." And his very last words, as he laid his head upon the block were: "Father, glorify Thy servant in the sight of men, that he may glorify Thee in the discharge of his duty to Thee and to his country."²

The axe fell and the soul of the purest patriot England has ever seen was released from the malice of enemies and from the burden of mortality. His body was given up to his friends and was laid by them next day in the vault of Shipborne Church, in Kent, where it still lies.³ No funeral monument or inscription keeps his memory green in England,⁴ though two hundred years after his death a handsome bronze statue of him was erected in the city of Boston, Massachusetts, to commemorate the honour of having once had him as a Governor of that province.

In a passage in *Samson Agonistes* Milton seems to glance at the trial and execution of Sir Henry Vane. The chorus speaks of strange vicissitudes in the lives of men, and even in those of persons eminently endowed with gifts and graces and raised up by God to undertake some great work either for the Divine glory or for the good of their fellows. He speaks of unseemly overthrow sometimes coming upon them, and of their being at times left

"To the hostile sword
Of heathen and profane, their carcasses
To dogs and fowls of prey, or else captived;
Or to the unjust tribunals, under change of times,
And condemnation of the ungrateful multitude."

¹ Pepys, *Diary*, 14 June, 1662.

² *Trial of Sir Henry Vane*, p. 95.

³ Dalton, *The Wrays of Glentworth*, vol. II, p. 123.

⁴ Except the tablet on the wall of his house in Hampstead, as mentioned in a previous note.

There is no doubt that these words, which were not published until nine years later, express indignation excited by the memory of Vane's fate. The same feeling animated many in the crowd who stood round the scaffold, as the contemporary narrative from which we have quoted indicates. The diarist Pepys, who witnessed the execution, was deeply impressed by what he calls "the resolution, gravity and humility" of the sufferer, and he says a few days later that the courage Vane had shown was talked of everywhere as a miracle, and that the King had "lost much more by his death than he would get again in a good while."¹

His widow died seventeen years later, and was buried beside him in Shipborne Church. His son Thomas was chosen member for the county of Durham, 21 June, 1675, and died four days later of smallpox at Raby Castle. Christopher lived to see the Revolution. In 1688, just after the acquittal of the Seven Bishops, James II made him and Silas Titus, a prominent member of the popular party, Privy Councillors, with the view of propitiating the Dissenters.² At a later date William III created him Baron Barnard of Barnard Castle, County Durham.

It is unnecessary, after the detailed narrative we have given of Vane's life, to do more here than to draw attention to the more salient points of his character and history. Those of our readers who had fancied before taking up this biography, that the subject of it was quite a subordinate personage in the age in which he lived, or that he was a mere encumbrance on the stage of public life whom Cromwell was justified in brushing unceremoniously aside, must by this time have discovered their mistake. If we are indebted as a nation for the maintenance of our liberty to that Parliament which resisted the tyranny of Charles I, we are under a deep

¹ *Diary*, 14, 18, 21, 22 June, 1662.

² *London Gazette*, 9 July, 1688: Narcissus Luttrell, *Short Relation*, vol. I, p. 449: Evelyn, *Diary*, 12 July, 1688, where, as in the entry of 18 July, 1693, he is incorrectly called Henry Vane.

obligation to Vane for the successful conduct of its business at more than one critical point in its history. As we have shown, he succeeded Pym as leader of the Commons, and though he had not the art of manipulating a party and keeping it together, he had the keen vision and the courageous spirit which distinguish the statesman from the mere politician. When the cause of the Parliament was at a low ebb it was Vane who, single-handed so far as England was concerned, carried through the alliance with Scotland, which turned the tide of victory against the Royalist side. And later on, when it became necessary to take the command of troops out of the hands of inefficient and half-hearted generals in order to bring the war to a triumphant close, it was Vane who was principally responsible for bringing in the Self-denying Ordinance which secured this result.

His labours as virtual Secretary for War, Chancellor of the Exchequer, and First Lord of the Admiralty in providing and maintaining the fleet which won such brilliant victories in the days of the Commonwealth are most astonishing, and are yet but one of the many grounds on which he is entitled to lasting remembrance. Nor is it merely the affectionate partiality of a biographer that makes these great claims on his behalf. The general impression regarding him was recorded by one who knew him well, and who wrote within a week of his execution. He says: "His great abilities made his enemies persuade themselves, that all the revolutions in the last age, were wrought by his influence, as if the world were only moved by his engine. In him they lodged all the dying hopes of his party. There was no opportunity that he did not improve for the advantage of his country. And when he was in his last and much deplored scene he strove to make the people in love with that freedom they had so lavishly and foolishly thrown away. He was great in all his actions, but to me he seemed greatest in his sufferings, when his enemies seem to fear, that he alone should be able to acquaint them with a

change of fortune. In his lowest condition, you have seen him the terror of a great prince, strengthened by many potent confederates and armies; you have seen him live in high estimation and honour, and certainly he died with it."¹

The great and irreparable blunder of mutilating the House of Commons and of forcing on the measure for the trial and execution of the King was a matter for which he had no responsibility, and of which he utterly disapproved. His action in resisting the tyranny of Cromwell as he had resisted that of Charles I testifies to his courage and consistency, and to that passionate love of freedom which burned like a pure, undying flame upon the altar of his heart.

Nothing to a modern reader is more astonishing in Vane's career than the advanced views which he held regarding so many political matters. His advocacy of toleration, of religious equality, of the sovereign power of Parliament, of reform of the House of Commons, and of a written constitution, shows him to have been far in advance of his time. In some respects, indeed, he is in advance of our own time. And the mere fact of his being able to rise so completely above the level of his age explains how it was that he so often stood alone and was so often regarded with hostile feelings.

Of him as a theological writer we can say but little. The title which he and his adherents assumed, or which was applied to them, was that of "Seekers." And the underlying assumption that in no section of organized Christian society had finality been reached, but that "fresh light might be expected to break out of God's Word," of itself implies a profounder appreciation of Divine things than is shown by mere acquiescence in some current expression of them. It may be that strange dreams and fantastical interpretation of Scripture and sheer unintelligibility often overcloud his religious writings; but nothing mars the beauty of his faith in

¹ Sikes, *Life*, p. 161.

God and resignation to the Divine will in the evil days that came upon him. This perhaps in the end is the quality in him which most demands our reverence, a spark from "the burning fountain,"

"A portion of the Eternal, which must glow
Through time and change, unquenchably the same."

¹ Shelley, *Adonais*, xxxviii.

APPENDIX I

Books and Speeches published by Sir Henry Vane. The list is taken from Prof. Firth's article on Vane, *D.N.B.*, vol. XX, p. 129.

1. *A Brief Answer to a certain Declaration*, 1637. This is a reply to J. Winthrop, and is referred to on p. 60 of our Memoir. It is reprinted with J. Winthrop's Declaration and an answer to Vane in *Hutchinson Papers* (vol. I, p. 79), published by the Prince Society (1865).

2. *The Retired Man's Meditations*, 4to, 1655.

3. *A Healing Question Propounded*, 4to, 1656. Reprinted in *Somers Tracts*, vol. VI, and in Forster's *Life of Vane*.

4. *A needful Corrective or Balance in Popular Government*, a letter to James Harrington (of Oceana).

5. *Of Love of God and Union with God*, 4to, 1657.

6. *Two Treatises*, viz. (1) *An Epistle General to the Mystical Body of Christ on Earth*, (2) *The Face of the Times*. Also a letter to his wife of 7 March, 1661.

7. *The Trial of Sir Henry Vane, Knight*, 4to, 1662. This includes documents connected with his trial, speech on the scaffold and various prayers. In it are also *The People's Case stated*, *The Valley of Jehoshaphat considered and Opened*, and *Meditations concerning Man's Life*. In Forster's *Life of Vane* he reprints the *People's Case*.

8. *A Pilgrimage into the Land of Promise*, 4to, 1664. Prof. Firth notes controversial literature called forth by some of the above publications and also gives a list of works wrongly attributed to Vane. The present author has a copy of *The Retired Man's Meditations*, which was formerly the property of John Locke, and contains his autograph. John Locke was secretary to Sir Walter

Vane, brother of Sir Henry's, and went with him when Sir Walter was sent as Envoy from Charles II to the Elector of Brandenburg in 1664, only two years after Sir Henry's execution. The volume also is interesting as containing a contemporary written list of books for sale. These are the works of Jacob Boehme, the mystic. The fact is curious, as Sir Henry Vane is thought to have been a disciple of Boehme. Notice of this copy of *The Retired Man's Meditations* is contained in *Notes and Queries* II S, V. 27 Jan., 1912, p. 66.

Published Speeches—

1. *Speech in the House of Commons for the Bill against Episcopal Government*, 11 July, 1641. Reprinted in *Old Parl. Hist.*, vol. IX, p. 342.

2. *Speech in Guildhall, London*, 8 Nov., 1642, concerning the King's Refusal of a Treaty (*Ibid.*, vol. XII, p. 17).

3. *Speech at a Common Hall*, 27 Oct., 1643, on the Readiness of the Scots to assist the Parliament of England.

4. *Speech at a Common Hall*, January, 1643-4. Printed in *A Cunning Plot*, 4to, 1643.

5. *Two Speeches in the Guildhall, London*, 4 March, 11 April, 1644, concerning the Treaty at Uxbridge (*Old Parl. Hist.*, vol. XIII, p. 159).

6. *The Speech intended to have been spoken on the Scaffold*, above-mentioned.

The Speech against Richard Cromwell, given in Oldmixon's *History of England under the House of Stuart* is probably the composition of some later pamphleteer.

APPENDIX II

PARTICULARS OF FAMILY HISTORY OF THE VANES

The following information regarding the family history of the elder and younger Sir Henry Vanes has been drawn from *State Papers, Dom.*, Collins's *Peerage*, Dalton's *Wrays of Glentworth*, Burke's *Peerage and Baronetage* and MS. information kindly given me by T. W. Huck, Esq., of Saffron Walden, and the Rev. J. E. Philipps, of Staindrop Vicarage, Darlington.

SIR HENRY VANE, THE ELDER (1589 to May 1655), *m.* 1612, Frances Darcy (1591-1663), 5th *d.* of Thomas Darcy of Tolleshunt Darcy, Essex. She *d.* 2 Aug., 1663, and was buried in Shipborne Church, Kent. N.B.—This Thomas Darcy *m.* Camilla, *d.* of Vincent Guiccardini, a Florentine [descended from Francesco Guiccardini (1483-1540), the historian of Florence], and had six daughters. He *d.* 14 Nov., 1593. His widow *m.* as her second husband Francis Hervey of Ickworth.

Children: *Henry* (Sir), Kt. (1613-62), the Younger: the subject of this biography.

George (1618-79), (Sir), Kt., received knighthood, 22 Nov., 1640: of Long Newton, co. Durham, ancestor of the Vanes, Baronets of Hutton Hall, Cumberland: High Sheriff of Durham Sept., 1645: *m.* Elizabeth, *d.* of Sir Lionel Maddison of Rogerley, Durham: buried at Long Newton, 1 May, 1679.

John, *d.* young, buried in Shipborne Church, 19 Oct., 1618.

Walter (Sir), Kt., baptized at Shipborne, 6 Oct., 1619: D.C.L., Oxford: with his brother George goes into the Low Countries to serve with the States' Army

(*S. P. Dom.*, 15 June, 1637): Colonel of the Holland regiment, afterwards the 3rd Foot (the Buffs): envoy to the Elector of Brandenburg in 1664, when John Locke was his secretary (*see* Lord King, *Life of Locke*, p. 10): killed serving under the Prince of Orange at the Battle of Seneff, Aug., 1674, and was buried at the Hague.

Charles, of Chopwell, co. Durham: *b.* about 1621: matriculated Magdalen College, Oxford, 17 Mar., 1637: was also of the Inner Temple: appointed deputy-treasurer of the navy to his brother Sir Henry (*Order Book of Council*, 19 Nov., 1649): appointed agent of the Commonwealth at Lisbon, 16 Jan., 1650: died unmarried: buried in Shipborne Church, 25 July, 1672.

Edward, baptized 2 Sept., 1622: of Magdalen College, Oxford, B.A., and of the Inner Temple, *d.* unmarried.

Ralph, baptized 30 Aug., 1625, mentioned in *S. P. Dom.*, 13 May, 1639, as asking a pass "but not to go to Rome."

Algernon, *d.* young, buried 29 Mar., 1634, in Shipborne Church.

Richard, *d.* young: buried in Shipborne Church, 13 June, 1633.

Thomas, *d.* young.

William, entered the Dutch service: *d.* unmarried.

Margaret, *m.* 3 June, 1640, Sir Thomas Pelham, Bart., of Holland, Sussex.

Frances, baptized at Debden, 14 July, 1614: *m.* 3 Apr., 1642, Sir Robert Honeywood, Kt., of Pett, co. Kent.

Anna, baptized 27 Aug., 1623; *m.* 22 June, 1646, Sir Thomas Liddell, of Ravensworth, Durham.

Elizabeth, baptized 4 Sept., 1624: *m.* Sir Francis Vincent, Bart., of Stoke Dabernon, Surrey.

Katherine, *d.* unmarried.

The family of Sir Henry Vane the Younger—

SIR HENRY VANE (1613-62), *m.* at St Mary's, Lambeth, 1 July, 1640, Frances, *d.* of Sir Christo-

pher Wray, Kt., of Ashby and Barlings, Lincolnshire (1601-6 Feb., 1645). She *d.* 1679, and was buried in Shipborne Church.

Children: *Henry*, *b.* 1642, *d.* at Copenhagen, 2 Nov. 1660: buried 25 Nov., 1660, in Shipborne Church.

Edward, baptized at Shipborne, 19 June, 1648, buried in Shipborne Church, 17 Feb., 1649.

Cecil, *b.* 9 March, 1646, *d.* 30 March, 1647.

Thomas, *b.* 1652: *m.* 1675: elected member for the County of Durham, 21 June, 1675; *d., s.p.*, of smallpox, at Raby Castle, four days later, buried in Staindrop Church: *m.* his cousin, Frances, *d.* of Sir Thomas Riddell, of Ravensworth, Durham. Frequently mentioned in Palgrave's *Mary Rich, Countess of Warwick*, 1625-78, as a suitor for Lady Mary Rich, *d.* of 3rd Earl of Warwick, afterwards mother of the celebrated Lord Bolingbroke. His widow *m.* as her second husband, Sir John Bright, Bart., of Badsworth, co. York.

Christopher, *b.* at Belleau, 21 May, 1653: inherited Raby, as only surviving son of Sir Henry Vane: knighted by Charles II: sworn a Privy Councillor, 12 July, 1688 (Evelyn, *Diary* at this date, where, however, he is incorrectly called Sir Henry): created by William III, by letters patent, 8 July, 1699, Baron Barnard of Barnard Castle, co. Durham: *m.* in 1676 Elizabeth Holles, eldest *d.* of Gilbert Holles, 3rd Earl of Clare. She *d.* 9 Nov., 1725. Both were buried in Shipborne Church, which was rebuilt by him, and in which a splendid monument was erected to them and to their daughter.

Ralph, *b.* at Belleau, 4 Dec., 1655 (Thurloe, *State Papers*, vol. IV, p. 36): buried 19 Apr., 1656.

Frances, *b.* 1641, *m.* Edward Kekewich, of Minhincot, Cornwall, 6 Oct., 1664.

Albinia, *b.* 1644, named after her grandmother, Lady Wray: *m.* 17 Apr., 1668, at St Mary's, Newington, Surrey, John Forth, alderman of London: had a son Henry Forth, magistrate for co. Durham.

Dorothy, m. 1677, Thomas Crisp, of Essex, said to be buried at Wootton, Oxon.

Anne, d. unmarried.

Mary, m. 1680, Sir James Tillie, Kt., of Pentillie Castle, Cornwall: d. s.p., 1682, and was buried in Shipborne Church.

Elizabeth, b. 5 July, 1654, at Belleau, d. 1655, and buried there.

Katherine, b. 1656, baptized at Staindrop, 11 Nov., 1657: d. unmarried, 14 Mar., 1678, buried in Shipborne Church.

The statement that Sir Henry Vane had a posthumous daughter is utterly untrue. It is alluded to in Burnet's *History of My Own Time*, vol. I, p. 280n. See Dalton, *Wrays of Glentworth*, vol. II, p. 127. The daughter of whom this was affirmed in Langstaffe's *History of Darlington*, p. 431, and in Hutchinson's *History of the County of Durham*, vol. III, p. 265, was Albinia, who was, as above shown, eighteen years old at her father's death.

The reference in Johnson's verse (in the *Vanity of Human Wishes*), "Yet Vane could tell what ills from beauty spring," is to Anne Vane (1705-36), maid of honour to Queen Caroline, and mistress to Frederick, Prince of Wales. She was the eldest daughter of Gilbert Vane, second Lord Barnard, and was sister of the Earl of Darlington (*D.N.B.* under "Vane, Frances Anne").

APPENDIX III

LETTERS WRITTEN FROM YORK BY SIR H. VANE TO THE
COMMITTEE OF BOTH KINGDOMS; *S. P. Dom. Inter-*
regnum: vol. XVI E, pp. 19, 20.

First Letter.

“ For the Right Honoble, the Committee
of Both Kingdomes at Derby House.

Right Honoble,

Your letters of the 27th of May and first of June are both come into our hands, And as wee shall willingly intertaine a constant correspondence with you for the better managing of this warr, Soe we are very confident that the forces we have left in the Northerne Counties, with these that are upon their way from Scotland will be more then [than] sufficient for the securing of these parts and the well affected in them. And for Your Lordships' advice sent by your letter of the first of June, We conceived our sending of Sr John Meldrum with two Regiments of Foote into Manchester might have been sufficient with the assistance we expected from the inhabitants to have made an obstruction to Prince Rupert's entry into that County. But being thereof disappointed we can hardly in the posture wee find matters to bee in divide their Armies or send any great party into Lancashire able to rancounter the Prince's forces unlesse wee should leave this seige too weake or other wayes make these we send a prey to the Enemy, and thereby render ourselves the more onable to doe that Service which with God's assistance other wayes wee may doe upon this ground. With common advice and consent the Earl of Manchester's foote are joyned with us, and his cavalry with ours is lying in the passage

betwixt Yorke and Lancashire. Sir John Meldrum has secured the towne of Manchester. This is all for the present wee can doe toward the releife of that shire, but shall ever doe what we conceive and see to be best for the publike service as becometh

Your assured freinds and servants,

LINDESAY, VANE.¹

From the Leaguer neere
Yorke, 5 June, 1644."

Second Letter.

S. P. Dom., vol. XVI E, pp. 30-3.

"For the right honoble the Committee
of both kingdomes, etc.

My Lords and Gent.,

Notwithstanding all the dilligence I endeavoured to make in obeydience to your Comand for my speedy repaire hither I found the weather soe bad, the wayes soe deepe, and the horses soe difficult to be speedily gott, that it was the Lord's day, at night, before I could reach the Leaguer. Since which time I delivered your Lordships' letters and communicated your desires concerning the reliefe of Lancashire according to my Instructions [upon] which herein [I] had yesterday a very long and serious debate before the three Generalls and chiefe officers of the Army and likewise at the Comittee of both Kingdomes and noe certain resoluccion as yet able to be taken concerning the same. In regard the siege before Yorke hath noe foote to spare, and that Citty is in soe hopefull a condition of being suddenly gained eyther by force or treaty, as it is noe wayes advisable to give any interruption thereunto for the present. And for

¹ Calendered as from the Earl of Lindsay and H. Vane.

their horse they have not number sufficient to divide in such a manner as to be able when they are divided to fight with Prince Rupert in Lancashire, if he abide there coming or any where else if he should come some other way upon them, and therefore doe hold it absolute necessary, untill they see the issue of Yorke (which they expect within very few dayes) to keepe their horse together, and not to part them very farr from their foote, especially considering that the King is (as they heare) drawing towards Prince Rupert, and what either of there designes are for the present they cannot soe well judge, however they resolve to be in readiness for the reliefe of Lancashire upon the first opportunity, and doe looke that every day something or other may fall out which will facilitate those intentions. In the meane time they doubt not but Manchester and Warrington will be kept and doe thinke the greatest mischief that will befall that County or the publique thereby, will not be soe great as the losse of Yorke, or hazard of these Armyes by making more haste for their reliefe then [than] the state of affaires here will permitt. This upon debate I found to be the generall sence, notwithstanding Colonell Ashton and Col. Rigby (lately come hither to sollicit releife) did with myselfe inforce and presse what wee could in pursuance of your Lordships' desires. Though the truth is upon the whole debate I could not satisfie my owne judgement that anything considerable could be done for Lancashire by these forces until the business of Yorke were decided. And according as I finde matters here it doth appeare to mee most cleerly, that if the Earl of Manchester had not brought up his foote to this seige, the business would have beene very delatory. Whereas upon the coming up of his foote the seige is now made very streight about the City, his Lordship's forces lying on the North side, where they have come very neere the walls and are busy in a mine, of which we expect a speedy accompt, if by a Treaty wee bee not prevented. The Scotch Forces

under Sir James Lumsdale's Command, united with those of the Lord Fairefax possesse the suburbs at the East part and are within pistoll shott and lesse of Wamgate. The Scots hold that fort on the south side which very gallantly they tooke on Thursday last, and are very busy in their approaches on that side. Yesterday 200 horse attempted an escape or entended a sally on the north side but were speedily beaten backe againe, and 80 on the South-west came out at the same time toward Acham with the like successe. On the 9th of this Instant, the Earl of Newcastle sent letters to the Earl of Leven and the Lord Fairefax for a parley, not taking notice of the Earl of Manchester's beeing there, but in that respect [i.e. in view of that] the Treaty was refused and notice sent to the Earl of Newcastle that unlesse hee directed his letters to all the three Generalls he could have noe answere: whereupon letters were sent to all three Generalls, and a civill excuse by Newcastle for the omission, in regard (as he pretended) he did not know the Earl of Manchester in person had beene there. This beeing done a Treaty was given way unto, and two Comissioners from each side¹ of the three Armies appointed with the place for meeting, an answer to which yesterday was expected but came not. For the Scots were appointed the Earl of Lindsay, and the Lieut. Genll. Bagliff, for the Earl of Manchester his Lieut. Gen. of his ordnance, Hammon, and Coll. Russell, for the Lord Fairefax Sir W. Fairefax and Mr. White. Out of Lancashire we heare that one Major Vicarman appointed to goe to Sir Jo. Meldrum would needs venture out of Manchester with 500 men to intercept a Convoy, and was himselfe taken with forty or 50 of his men. Prince Rupert hath assaulted Liverpoole and is beaten off three or four times, but is like to carry it hereafter, if it be not prevented. Upon consideracion of the state of the Northern Counties how that four of them are yet too much under the Enemyes power adde

¹ "side" has been ruled out.

this of Yorkshire not as yet cleared from many Garrisons, admitting the Citty itselfe should be taken, we finde it impossible that the forces here can be maintained and provided for according as it is necessary. And therefore the English Commissioners here and myselfe have represented to the house of Commons the necessitie of adding Lancashire and Derbyshire to the rest of the Northern Countyes expressed in our Instructions, and for the better carrying on of¹ the service, doe humbly conceive that the addition is very requisit of the Earl of Manchester, the Lord Fairfax and his Sonne to bee Commissioners from both houses to the Scots with such others as shall be thought fitt that have relation to these Northerne Countyes, which is soe necessary to be done and that with speed that I have taken the boldness to recommend it to your Lordships to put the houses in mind thereof and cause the same with all expedition to be sent downe, if the houses shall approve thereof. I shall not faile to give your Lordships frequent advertisements from hence, and offer it to your Lordships how necessary it will bee for these Armies in these active times to heare frequently from your Lordships.

So resting

Your Lordships' most humble Servant,

H. VANE.

From the leaguer
before Yorke,

11th June, 1644.

The passages concerning the Parley betweene the Earl of Newcastle and the Generalls here, will bee best seene in the letters themselves, coppies of which I send your Lordships here inclosed. Since the writting of this I have received the inclosed from the Committee of Both Kingdomes, and am promised the same from the Earl of Leven, Earl of Manchester, and Lord Fairefax."

¹ This word is ruled out.

Third Letter.

S. P. Dom., Interregnum, vol. XVI E, pp. 52, 53.

“For the right honoble the Committee
of both kingdomes, etc.

My Lords and Gent.,

I have not beene wanting since my arrivall here to pursue your commands with the utmost diligence I could, and all that I was able to prevaile concerning *Lancashire* was to procure most of the *horse* to bee sent into Cravon, and those part for the encouragement of the *Country* and amusement of *Prince Rupert* by giving allarams into the *Country*. Liverpoole wee heare is quitted by the Guarrison after great losse to the Enemy in his attempts upon it. Warrington and Manchester wee hope are in noe danger. 'Tis conceived *Prince Rupert* intends not to stay long in those parts in regard the Earl of Derby and others have removed their goods to Chester, as we are informed, are very apprehensive of the coming of these Armeyes into that country, which they have very good reason to doe *as soone as Yorke* is dispatched. The state of which in regard of the approaches are much as they were when I last wrote saving that there are now *two mines* ready to *play* and that the best battering peices which carryes 64 pound bullett is now upon carriages again, soe as wee doe expect very suddenly to doe our endeavours by force since by faire meanes we can prevaile no better, as by the inclosed papers you may perceive, in all the steps that have been taken concerning the same. In which if your Lordships conceive wee have beene too indulgent the desire to *preserve our armies* for the service of *Lancashire* securing the *North* and to bee usefull as occasion requires, to the affaires of the South, hath induced us thereunto: especially if it please¹ might have in point of time set us at liberty for these purposes, but if there be noe remedy I finde

¹ This word is ruled out.

it will not be long before wee fall upon other resolutions. Since my writing thus much *Manchester* Generall Major played his mine with very good successe, made a fair breach and entered with his men, and possessed the mannor house: but *Leven* and *Fairefax* not beeing acquainted therewith, that they might have diverted the enemy at other places, they drew all their strength against our men, and beate them of againe, but with noe great losse as I heare. This opportunity beeing thus missed it may possibly occasion some retardment in this worke, though I hope it will not bee very long. I would gladly if I could see *Yorke* taken in before my returne; but concerning that I desire to know your Lordships' pleasure. In regard the time appointed me for my returne drawes now very neare, which I would by noe meanes transgresse, only I am very much pressed to stay awhile in regard the Comittees¹ here are not a Quorum without mee: Soe that untill wee have an answer of my last dispatch concerning this particular, I feare it will be impossible for mee to get away. I therefore humbly beseech your Lordships to send me your direction herein with all possible speed, which I shall be very careful to observe. I have prevailed with the Earl of *Leven* and the Lord *Fairefax* to send a 1,000 horse into the Bishopricke with order to the foote that are there and can be spared to joyne with them to oppose *Montrose*, *Clavering* and those forces there that doe nothing but spoyle and plunder all those Countreyes. I cannot yet learne that *the Earl of Calendar* is come in or likely to come yet a while. If it please God to give us a speedy successe against *Yorke* I doubt not but *the North*² will bee suddenly settled: otherwise the hastening of the Earl of *Calender* I humbly conceive would doe no harme. Wee are informed Prince *Rupert* intend[s to go] southward to joyne with the King, though by the confidence of

¹ This word is altered to Commissioners.

² Words in italics are in cipher.

Yorke, wee should rather imagine he intends this way.

My Lords, I am,
Your Lordships' most humble servant

H. VANE.

Yorke, June 16th, 1644."

Fourth Letter.

S. P. Dom., Interregnum, vol. XVI E, p. 64.

"For the right Honoble the Lords and
 others Committees of both Kingdomes.

My Lords and Gent.,

I hope this will come safe to your hands by the Ordinary post. It is to acquaint you that Waller upon occasions of letters sent from hence to him by the Generalls, hath dispatched an expresse hither Lieu. Col. Birch with a particular accompt of the state of his affaires and his desire that Prince Rupert's motions might bee attended by a force from hence whilst he is pursuing 215¹. Whereupon the inclosed resolutions were taken yesterday in the afternoone, and Lieu. Col. Birch returned backe with that to Waller. This now sutes with the Comands I received from you, though it bee somewhat the later before it came to be resolved on, but by this meanes Yorke will bee blocked only as it was before Manchester did come to them. By a letter from the Lord Waristone to Sir William Armine it is advertised that the Earl of Calender will be at Blythe Neake with the Army upon 23 instant. Coll. Fairefax and Coll. Welden with above 1,000 horse besides the Scotch foote, are in the Bishop-rike. Montrosse and Clavering are sayd to be in Newcastle, and neither are they like to get to Prince Rupert, nor are the Country willing to rise with them upon the newes of Calender's coming. I hope to wayte upon your

¹ I.e., the King: vide Calendar.

Lordships within very few dayes, beeing very confident that before this time the Houses have added men Commissioners to reside here according to what I writt in my first letter to your Lordships.

My Lords,

Your Lordships' most humble servant,

H. VANE.

From the Leagure

before Yorke.

June 20, 1644."

Fifth Letter.

S. P. Dom., Interregnum, vol. XVI E, p. 65.

"For the right Honoble the Lords and others of the Committee of both Kingdomes.

My Lords and Gent.,

I am bold to trouble your Lordships with one thing that I omitted in the enclosed, which is that that I omitted¹ forces to bee sent from hence are over and above a thousand horse and foure or five thousand foote out of Lancashire, for the speedy preparing of which Mr. White was last night dispatched thither: soe as it is not doubted but all the strength Prince Rupert hath neede not bee feared in case they meete. Prince Rupert's forces are conceived to bee by the best relation but 4,000 fighting horse and 4,000 others warned² in the nature of baggage horses, and some foure or five thousand foote. It is not yet certaine which way he will bend his course, northward or southward, and therefore it is intended to waite upon him either way.

Your Lordships' most humble servant,

H. VANE.

Yorke Leaguer

the 20 June, 1644."

¹ "I omitted" is ruled out.

² I.e., evidently "warned" to be held in readiness.

Sixth Letter.

S. P. Dom., Interregnum, vol. XVI E, pp. 67, 68.

“For the right honoble the Lords and others of the Comittee of both Kingdomes, etc.

My Lords and Gent.,

By my last which went by the Post under a cover to Mr. Prideaux I acquainted your Lordships with the resolution of the Committee of Both Kingdomes here and the Generalls to send out a force of horse and foote from hence to joyne with the Lancashire forces and attend upon the motions of Prince Rupert in case he had marched southward to the ayde of the King or hazard of Sir W. Waller's forces. Since which time they having understood from your Lordships the state of affaires in the south, and of the King's returning to Oxford, and Sir W. Waller following, as also that the Earl of Denbigh is appointed with all the force hee can march to come to the releife of Lancashire, they have hereupon thought fitt to write to the Earl of Denbigh to hasten his march what he can, that thereby they may send out such a force of horse and foote, as they can spare from hence, who with the conjunction with the Earl of Denbigh and the Lancashire forces may deale with Prince Rupert, and yet continue the siege here. In case Prince Rupert should still delay his coming hither, which they had rather he should notwithstanding hasten that they might deale with him with their united force then [than] with a divided one. Prince Rupert hath his rendezvous this night at Preston with all his foote and horse (consisting of 11,000 or thereabout) and Carrages, which lookes this way, though it bee conceived he will not advance yet a while, which makes it very disputable whether wee should goe and attaque him or stay till he come into Yorkshire nearer to us, to which I finde little other resolution then [than] to waite upon the occa-

sion, and to doe as they shall finde cause upon fresh intelligence either one way or other. Mr. White is returned from Lancashire who brings us word there is 4,000 foote and about 4,000 horse which will be ready to joyne with us out of Lancashire besides the Lord Denbigh's forces. Soe as wee hope if the Earl of Denbigh make haste we may be able to attempt upon Prince Rupert without raising the seige here or staying for his attempting upon us. The Earl of Leven told us this night that he heard for certaine Calender with his Army is marched into England, which at this time is not unseasonable. I intend, God willing, at or before Saturday next to waite upon your Lordships and by word of mouth to give you a just particular account of affaires here.

I am,

My Lords,

Your Lordships' most humble servant,

H. VANE.

Yorke Leaguer

23 June, 1644."

Seventh Letter.

S. P. Dom., Interregnum, vol. XVI E, p. 69.

"For the right honorable the Committee of both Kingdomes at Derby House, etc.

Right Honorable,

Your letters of the 18th and 20th of this current wee received this day. And as wee doe heartily thanke you for the frequent advertisements of your condition of affaires there which you send us, Soe wee shall bee carefull to make use of every opportunity to keepe the like correspondency with you. Our present condition is not much altered from what it was at the last accompt wee gave you thereof: And our resolutions with relation

to Prince Rupert's forces you will understand by this enclosed coppie of a letter which we have sent to the Earl of Denbigh. We have nothing to adde for the present, but that you may bee very confident that nothing shall be wanting for the good of the cause and speedy ending of these troubles which is within the power of

Your Lordships' freinds and servants,

H. VANE, LEVEN,

FER. FAIRFAX, MANCHESTER.

From the Leaguer
before Yorke.

23 June, 1644."

APPENDIX IV

DOCUMENTS CONNECTED WITH THE PLOT TO ENTRAP
CHARLES II AND THE DUKE OF YORK IN 1659

(I). "A brief narrative of the services done to the Crown by Sir S. Morland.

Immediately upon Thurloe's trepanning Dr. Hewet to the death, S. Morland resolved to do the King what service he could, detesting the cruelties acted by Cromwell, and did so above a year and a half before he durst discover himself.

At last he did discover himself and sent the King a letter by Major Henshaw, discovering Sir Rich. Willis and about 12 gentlemen more who were in salary with Cromwell for betraying the King, some residing in England and others at Bruxels. Besides that he kept weekly correspondence with the King, and for above a year together never went to bed without a just fear of being taken out before the morning and having his flesh pulled from his bones with hot pincers.

When Richard Cromwell was turned out, it was he alone who made such jealousy between Lambert and Scott that Scott was getting an order to send Lambert to the Tower, and Lambert having timely notice of it (by my Lord Marsham who then held correspondence with Morland), got on horseback and turned out the Rump; which, under God, was the first true means of bringing in the King, and without which he might probably have been kept out till this day.

When Lambert went down to the North in triumph with that famous body of horse (with an intention to have destroyed Monck) it was Morland alone who raised such jealousies between Lambert and the Council of Officers at Wallingford House, that he was ordered not

to march one day, but by new orders sent by an express from Wallingford House, which broke his army and dispersed them.

In the business of Sir George Booth, Sir Rich. Willis had hired a house in Kent on purpose to have given up the person of the King to Sir H. Vane and Mr. Scott, where the King had been immediately murdered. And the King and Duke was ready to come over, when Morland gave him timely notice of it, and so prevented the murder both of King and Duke.

After all was done and over, instead of performing [? receiving] any of those great promises, he has now for 17 years gone up and down as a man of another world and no solid provision made for his family, and exposed to scorn and byword of Sir Richard Willis and others, who say the King does not trust him. And what he now begs for is about £500 *per ann.* in some certain estate in long leases of 99 years as may amount to that value, that so when he dies (not knowing how soon it may be) his family may not be exposed to want and beggary."

Endorsed: "Sir Samuel Morland's papers."

Add. MSS. 28094, f. 10.

(2). Copy of the King's letter to Mr. Morland, sent him from Brussels by Major Henshaw, dated 7 July, 1659.

"I have received yours of the 15th of the last, and the rest J. H. sent me from you, and I dispatched the person sent by him the next day, in the manner you advised and fully to his satisfaction. So that I hope God Almighty will dispose that affair to our wish, and that the fleet will not be gone out of the Sound, before my letter be delivered, wherein I have offered all that may move.¹ If the misfortune should be such that he should be come away, you will find some way to assure him of all that he can wish from me. But if he go once

¹ Evidently some overture to the Admiral in command of the fleet.

on shore I cannot imagine he ever will be restored to the same power again.

For yourself your merit is, and will be so great towards me, that you may be sure that it shall be only want of power if I do not gratify you to your heart's desire. And I will not only give you your Garter but somewhat else likewise that will make you wear it with more delight. I do rely upon your dexterity and credit to improve my interest in all places, and what shall be undertaken by you or your friends in my behalf with those who can eminently merit from me I will perform. Let me understand how any treaty advances between those in present power and Spain or France or any other neighbours. And I know you will do what you can to obstruct all things of that kind and do me and my friends all the good offices you can. And in all things you may depend upon me as

Your very affectionate friend,

CHARLES R."

Add. MS. 28094, f. 9.

(3). Copy of another letter from Brussels, dated 10 Aug., 1659.

"I have yours by H. and cannot but be abundantly satisfied with the great services you have done me, how melancholy soever the knowledge of one truth hath made me,¹ and if your dexterity do not prevent it, there is no mischief may not befall me and my friends. I would finish my intentions towards yourself, but that there is somewhat of form that cannot consist with the secrecy that is necessary for you, and which I have observed inviolably, and you may be most confident I will perform and punctually more than I have promised, so soon as you can own the receiving of it. I must again conjure you

to be careful of my friends, and believe me to be very heartily,

Your affectionate friend,

CHARLES R."

Add. MSS. 28094, f. 9.

N.B.—The three foregoing documents are in the British Museum. That which follows is in the Library at Lambeth Palace. The reason why it is there is that the narrative it contains is in the form of a letter addressed to Dr Tennison, Archbishop of Canterbury.

(4). Sir Samuel Morland's Abbreviate of his Life (Lambeth MSS. 931 (1).)

Transcribed by kind permission of His Grace the Archbishop of Canterbury.

"Sir,

I am not ignorant of the various reports of the excessive prodigalities and other sins of my youthful days, that have now for a long time been spread abroad by the credulous and censorious world, especially since it has pleased Almighty God of late years to visit me with manifold crosses and afflictions, which have kept almost as exact times and measures as formerly did Job's messengers. And far be it from me to act the Pharisee's part: or plead my innocence in any other terms than (in Hebrew) 'I acknowledge my transgressions and my sin is ever before me, O God, thou God of my salvation' (Ps. 51). However, I have thought it necessary (being sensible of my mortality) and knowing well that I address myself to a true Nathaniel in whom there is no guile, to make you my confessor and to give you an abbreviat of the history of some part and passages of my life, being willing to carry the rest into the grave with me, by reason of the circumstances of the age we live in, there to be buried in oblivion. Having received my education in Winchester College I was removed to the University of Cambridge, where having spent nine

or ten years I was solicited by some friends to take upon me the ministry, for which fearing I was not fitly qualified, I betook myself to the study of the mathematics. Soon after, an occasion presenting itself, I accompanied an ambassador (among several other gentlemen) sent by the Protector to the Queen of Sweden. At my return I was recommended to Secretary Thurloe for an assistant. And in a few months' time after, sent by Cromwell as an envoy to the Duke of Savoy, in behalf of the Protestants of the valleys of Piedmont. And from thence to Geneva as his resident to manage the affairs of those poor people together with other foreign ministers, as likewise to transmit the moneys collected in England for their relief, and to prepare minutes, and procure records, vouchers and attestations for the compiling of an exact history of the Waldenses.

That negotiation being ended, and having exposed an account at my return of the whole transaction to a select number of gentlemen who were appointed by Cromwell to examine all particulars and to make their report, as appears by their certificate marked A registered in the Council Books of which I have the original, I was admitted into the most intimate affairs of state. Where I had frequent opportunities of taking a clear view of all proceedings from '41 to '56, and so forwards for several years.

Amongst other intrigues I was an eye and ear witness of Dr. Hewet's being inhumanly trepanned to death (together with several other persons of quality) by Thurloe and his agents. For instance, one Dr. Corker, was sent by Thurloe to Dr. Hewet to advise him and desire him on behalf of the Royalists to send to Brussels [Brussels] for blank commissions from Charles II. And when those commissions were come was ordered to desire to be employed by him to disperse part of them into several counties, and to keep the rest by him, which done, he was seized on, together with those commissions, and condemned by a High Court of Justice, and at last cruelly executed.

I was likewise privy to a design which was carried on by Sir Richard Willis (whom Charles II trusted with all his affairs in England) from a year before Cromwell's death to the rising of Sir George Booth (afterwards Lord de la Mar) for giving up the person of his Majesty. At which time the said Sir Richard Willis, by the appointment of Secretary Scott, and one person more (Thurloe being now out of employment) hired a great house called Weston Hanger¹ in Kent, moated about, and situated for the purpose, and then advised and pressed Charles II with all diligence to come for England and reside in that house for the better encouragement of those who should rise in arms for his restoration.

To this proposition the King readily consented, and the day of his setting out from Brussels (as I remember) was appointed, and notice thereof being given to Scott by Sir Richard Willis, there were several thousands of chosen men, armed cap-a-pé, who had instruction to place themselves round about in woods, and as privately as was possible. And upon the watchword given that the King was entered into the said house, to rush in and murder him and all his followers in a hurry; so as it might never be known by whose hand he fell, which was thought by the contrivers a much better method than formally to bring him to a trial before a High Court of Justice, as they had done his father.

Now the horror of this and such like designs to support an usurped Government, and fearing to have the King's blood laid another day *in foro divino* to my charge (there being no person but myself and the contrivers, and the chief of those who were to act it privy to it), and calling to remembrance Hushai's behaviour to-

¹ "The ruins of this mansion, though very small, show it to have been formerly a very large and magnificent pile of buildings. . . . The great hall was fifty feet long, with a music gallery at one end of it, and at the other a range of cloisters which led to the chapel and other apartments of the house. There were 126 rooms in it and by report 365 windows. In 1701 more than three parts of it was pulled down for the sake of the materials." Hasted, *History of Kent*, vol. VIII. pp. 65, 66.

wards Absalom, which I found not at all blamed in Holy Writ (and yet his was a larger step than mine, I having never taken any kind of oath, or made any formal promise that I ever remember to any of those Governments), as likewise seriously reflecting upon those oaths of supremacy and allegiance which I had taken during the reign of Charles I at Winchester College, I took at last a firm resolution, to do my native Prince and the rightful heir to the Crown, all the service that should lay in my power.

And here I cannot omit to observe: 1. That this juncture of time was the darkest moon of all that King's reign—a time, when he was in a manner abandoned by almost all the neighbouring princes and States, and miserably betrayed by many of his domestic servants, and some of those in whose hands were all his secrets and principal affairs; and a time when he was in so great distress for moneys, that being pressed by Sir Rich. Willis to send him £50 or £60, as oft as he sent him over new instructions, which was usually once a month (though at the same time he had much greater sums conveyed to him by my hands, in dark nights and obscure places, such as the Vine Tavern in Holborn, hackney coaches and the like) his Majesty was frequently forced to pawn his plate or jewels, and I remember once to sell his coach-horses to supply him. All which misfortunes Sir Rich. Willis having enumerated and illustrated in a letter of his to me about the same time to encourage the King's enemies here, filled the basket and closed his letter with this paragraph verbatim, viz.: “And now I know not what power that little King has left him, unless it be to command his followers to run mad as they please.”

2. This was a time when I lived in greater plenty than ever I did since the King's restoration; having a house well furnisht, a sufficient number of servants and attendants, a very good coach and horses in my stables, a revenue of over a thousand *per ann.* to main-

tain it, and several hundreds of pounds of ready money by me; and a beautiful young woman to my wife for a companion. Now the giving myself up to serve the King was not only to hazard all this, but to live in daily expectation of being taken out of my bed or house and dragged to the tormentors and there have my flesh "pulled off my bones with red-hot pincers." These were Thurloe's own expressions how they had dealt with me, had they in the least suspected me.

3. Had ambition been, and titles of honour been what I aimed at, whenever the King should be restored, so little appearance was there at that time of any such change, and such characters were then given of the King's person, that to rely upon a promised honour would have seemed no other than building castles in the air, and a hundred pound for the purchase of a Garter would have been thought a desperate adventure.

4. Had gold been the God I then worshipped, I had fair opportunities, as it's well known, whilst I resided at Geneva to have got away with above twenty thousand pounds into some remote corner of the world, where the power then in being could never have reached me. Or I might have accepted at my return of a much greater sum to have timely discovered the whole design of Cromwell's expedition into the Indies for the Spanish gold. All those commissions or instruments being either in my view or in my custody.

Whoever shall seriously consider the foregoing observations will hardly believe that any self-ends (though possibly they might by the pravity of man's nature and the subtilty of the devil be injected into the fancy) could possibly outweigh the considerations of duty and conscience, in such an undertaking as this of mine was in the blackest and worst of times.

Having now resolved upon the end, the next thing was to contrive the means of effecting it. And having made choice of one Major Henshaw (whose life I had some time before saved, he being one of the 40 men

who had sworn neither to eat nor drink till they had killed Cromwell), I got him to send a letter to Charles II by one of his confidants to acquaint him that 'there was death in the pot, if ever he entered within the doors of Weston Hanger.' This letter happened to be put into his hands as he had one of his boots already on and was drawing on the other, to ride post towards the water-side, in order to his coming over, as Sir Rich. Willis had advised him, for the encouragement of his party. This letter put a stop to his journey, but with much difficulty, the King being made almost believe, by the Lord of Ormond and others, that this was only a stratagem of the Protector, to throw dirt upon his beloved favourite, and so to spoil his best designs.

However the King sent me an answer, marked B, whereupon I dispatched Major Henshaw himself, with a second letter, and accompanied it with several long letters, all written with Sir Rich. Willis his own hand, discovering from time to time all the King's secrets, and whatever his Majesty had entrusted him with.

To this the King sent me a second letter marked (C).

With one of these letters came a private paper, as from the King (but in truth from the Chancellor himself) ordering me to send him in another private paper an account of his Chancellor Hyde and what I knew of him, for he was then accused of corresponding with Thurloe, and receiving moneys from Cromwell. I, believing it came really from the King, sent such an account as it seems did not very well please his Lordship. And *hinc illæ lacrimæ*. From that time he became a mortal enemy.

When I went over to Breda upon the King's restoration, the Chancellor charged me not to ask anything of the King till he came into England, his Majesty being resolved to give me more than in modesty I could petition for. But when I had waited in England, till all things of moment were given away, and at last desired to know what the King designed for me, his answer was: 'Zounds, what the divel would you have?'

Before the King's coming over, by Major Henshaw's and his confident's private agreement as I believe with the Chancellor, my wife was made believe that there was a patent brought over and hid under ground to give me the Garter and make her a Duchess, as being descended from a noble family in Normandy, which was the truth; and they had so far possessed her with their vain imagination, that she desiring me to walk with her privately into the garden of my country-house, a little beyond Bow, she conjured me upon her knees in the face of heaven to promise and swear to grant her a certain request, which was never to ask anything of the King, but let him do as he pleased. And when I pleaded with her, and foretold her what really fell out afterwards, her answer was this: 'The misfortune fall upon me and my children.'

The King being restored, all his promises ended in a patent for a baronetcy, a gentleman's place of the Privy Chamber, which was only a place of great expense, and cost me at the coronation £450 in two days. And after I had, by the Chancellor's order as from the King delivered up the first letter into his Majesty's own hand, where he had promised me the Garter, etc., I had given me a pension of £500 *per ann.* out of the Post-office. But being forced to live at a great expence and lay out great sums in taking out patents, and riding at the Coronation, etc., and so run myself in debt, there was one sent to me to give me an alarm that the Duke of York would have the Post-office settled on him, and my pension would be lost, and I should do prudently to sell it; and there was a chapman for it, which was Sir Arthur Slingsby, who had it for a sum much beneath its value, and as I heard afterwards, he bought it for the Lady Green with the King's money.

Now finding myself disappointed of all preferment and of any real estate, I betook myself to the mathematics and experiments such as I found pleased the King's fancy. And, when I had spent £500 or £1,000, got

sometimes one half, sometimes two-thirds of what I had expended. Sometimes I had pensions, sometimes, none. And care was taken by the ministers of State (under whom I was forced to truckle, waiting oft at their doors among the footmen) that one thing should be spent before I got another. One while I was made a commissioner of excise, paying part of it to one who had procured it. But in a few years being run in debt by chargeable experiments I was forced to part with it. At last, with much ado, I got those pensions that I have of late years enjoyed, but they being very often stopped, I was at a great loss, and expense, borrowing money at 50 in the 100, and so anticipating of my pensions.

About two years before the King's death he sent me into France about that King's water-works. And I borrowed near a thousand pound upon my pensions (to repay the double to those who lent it) to prepare models and engines of all kinds for that expedition. But I was no sooner arrived there but the Lords of the Treasury, by his Majesty's permission, stopped all my pensions for three years.

King James did indeed at my return (which was with the loss of about 1,300 pistoles, as may appear by the French King's answer to my last petition, marked D), take off this stop of my pensions, and ordered the payment of the arrears; but permitted the Lord Treasurer Rochester to cut off above £1,300 to pay the workmen for the engine that serves Windsor Castle with water, upon the account of some loans and some reimbursements I had got of King Charles, in about a year and a half's time before my going over into France. And one of the loans was £150, which paid for the jewel he gave me for pleasing him with the engine, and in remembrance of old services, which jewel I was forced to pawn and part with at Paris to furnish myself with moneys to bring me back to England.

As an addition to all these misfortunes, having charitably redeemed a certain woman (whose morals I then

knew not at all) from perishing in a prison; was inhumanly betrayed by her under a pretence of gratitude, into a vain expectation of marrying an heiress of twenty thousand pound, and swallowing too greedily the gilded bait, it proved my utter ruin.

I know it is objected against me, that I have been extravagant in expenses with several wives. And I must confess, that was the only content I had in the world, all other things proving cross and full of trouble and bitterness. Besides that I never frequented either taverns, or kept in pension women of pleasure. And what money ever came to my hands, excepting about £600 or £700 *per ann.*, in my family or relating thereto, went amongst workmen of all sorts, for engines and chargeable experiments to please and divert his Majesty. Or else for secret services; which were often very considerable sums. Somewhat may be judged by the payment (E).

I am sure I have now hardly left ten shillings in the world. After all I would fain retire, and spend my life in a Christian solitude; and heartily beg you to lend me your helping hand, to have my condition truly represented to his Majesty, whereby you will highly and forever oblige,

*Your most affectionate, humble and faithful
servant,*

S. MORLAND."

Endorsed: "An abbreviate of the concerns of Sir Sam. Morland; in a letter to Dr. Tennison."

With the vouchers marked A, B, C, D, E. The vouchers are missing.

To this is added a document (MS. no. 3).

"There is one thing that I omitted in the abbreviate of my own history, which is: That when I did engage to serve the late King Charles II and did reveal some conspiracies against his life; yet, at the same time, I plainly sent him word that it was upon condition that

I might never be called to bear witness against any of the conspirators; if, upon his restoration they should happen to be arraigned at the bar of justice. And when Sir H. Vane was ordered to be brought to his trial the Attorney-General did indeed send for me, and did very much press me in private (and that in the King's name) that I would appear as a witness against him; for as much as his Majesty had been informed that I was privy to many transactions, where the said Sir Henry Vane was principally concerned, that would by the law of England, be adjudged high treason. But my answer to him was this: That I hoped his Majesty would remember his promise that not a hair of their heads should ever be touched upon my account. Besides that I would rather be pressed to death than come in judgement against either him or any other, whose designs I had formerly discovered. And thereupon went home to my house and burned a certain sheet of paper all written with Sir H. Vane's own hands (which was a draft of a model of a new government, with severe reflections on monarchy) as also several other papers, which would have been great evidences against him. And after this answer of mine I heard no more from the Attorney-General or any other about that affair; and where they got their evidences I know not. Sure I am that they had none from me, whose principle is and always shall be—(in Hebrew) 'deliver me from blood-guiltiness, O Lord, Thou God of my salvation.' (Psa. li, 14). S. MORLAND, 3 May, 1689.

Reflection: Lord, how hard and difficult it is (if not impossible) for a frail man to pass through so many changes and chances of this world for the space of thirty or forty years without having his soul sullied with the sins of the times! (in Greek), 'Lord, have mercy upon me.' . . . (illegible). S. M."

Endorsed: "Paper to the abbreviate of Sir S. Morland's history of some part of his own life."

We may perhaps be allowed to give an opinion here

as to the general credibility, or otherwise, which attaches to Morland's statements. That he had rendered valuable services to Charles II by revealing Willis's treachery is beyond all doubt. As the pecuniary rewards which he received were inadequate for his needs or for his extravagant way of living, he applied time after time to the King for further grants of money, and two of the documents we have printed were drawn up in support of his claims. Naturally enough in these circumstances the most would be made of the services rendered, but there is no reason to believe that he made unfounded statements. Actual falsehood would defeat his purpose, as he was dealing with those who knew what the services were which he had rendered. We see no reason to doubt the details he gives of the plot to entrap Charles and his brother in 1659, though, as we say in the text, his unsupported testimony is not sufficient to convict Vane of complicity in the matter. Most historical writers in dealing with this period seem to confuse Willis's treacherous scheme in 1659 with a similar scheme which he discussed a year before with Cromwell and Thurloe, and which came to Morland's knowledge. But Morland, in speaking of Scott, rather than of Thurloe in connexion with the matter, makes it quite clear that we have to do with what happened in the summer of 1659, when Scott was in the ascendant. An independent witness to the fact of the plot to which Morland refers is to be found in Burnet, though the latter is incorrect with regard to the details of the incident. "After Cromwell's death," he says, "Willis continued to give notice of everything to Thurloe. At last when the plot was laid among the cavaliers for a general insurrection, the King was desired to come over to that which was to be raised in Sussex.¹ He was to have landed near Chichester,² all by Willis's management: and a snare was laid for him in which he would probably have been caught,

¹ An earlier reading is "for Suffolk and Norfolk."

² An earlier reading is "Yarmouth."

if Morland, Thurloe's under-secretary, who was a prying man, had not discovered the correspondence between his master and Willis, and warned the King of his danger." (*History of my own Time*, I, p. 118, ed. Airy). That something was attempted in which Weston Hanger figures is asserted in a document printed in the *Historical MSS. Commission* (vol. VII, p. 245), though the writer supposes the incident to belong to Cromwell's time. The letters from Charles II to Morland during the summer of 1659, which we have printed, fit in with Morland's story. One of the letters was evidently written after Willis had been "posted" and Charles had received proofs of his treachery. The second letter might well have been in answer to one from Morland warning Charles against crossing to England. All these facts seem to us to point in the direction of the general credibility of Morland's statements.

APPENDIX V

THE SPEECH WHICH VANE WAS HINDERED GIVING UPON
THE SCAFFOLD

As he had foreseen that his speech upon the scaffold might be interrupted or altogether hindered, he took the precaution of leaving a copy of what he had intended to say with a faithful friend; and this was published in his biography which appeared shortly after his death. It ran as follows:

“The work which I am at this time called unto in this place, as upon a public theatre, is to die and to receive a discharge once for all out of prison; to do that which is but once to be done, the doing or not doing of which well and as becomes a Christian does much depend upon the life we have been taught of God to lead before we come to this. They that live in the faith do also die in it. Faith is so far from leaving Christians in this hour, that the work of it breaks forth then into its greatest power; as if till then it were not enough at freedom to do its office, that is to look into the things that are unseen with most steadfastness, certainty and delight, which is the great sweetener of death, and remover of its sting.

Give me leave, therefore, in a very few words to give you an account of my life, and of the wonderful great grace and mercy of God in bringing me home to Himself and revealing His Son in me, that by the knowledge of the only true God and Jesus Christ whom He hath sent I might even whilst here in the body, be made partaker of eternal life, in the first-fruits of it, and at last sit down with Christ in glory at his right hand.

Here I shall mention some remarkable passages and changes of my life—in particular how unsought for by myself I was called to be a member of the Long Parliament, what little advantage I had by it, and by what steps I became satisfied with the cause I was engaged in, and did pursue the same.

What the cause was did first show itself in the first Remonstrance of the House of Commons. Secondly, in the Solemn League and Covenant. Thirdly, in the more refined pursuit of it by the Commons House in their actions single: with what result they were growing up into, which was in the breast of the House and unknown, or what the three proposals mentioned in my charge would have come to at last I shall not need now to say; but only from all put together to assert that this cause which was owned by the Parliament was the cause of God, and for the promoting of the kingdom of His dear Son, Jesus Christ, wherein are comprehended our liberties and duties, both as men and as Christians.

And since it hath pleased God, who separated me from the womb to the knowledge and service of the gospel of His Son, to separate me also to this hard and difficult service at this time, and to single me out to the defence and justification of this His cause, I could not consent by any words or actions of mine that the innocent blood that hath been shed in the defence of it throughout the whole war (the guilt and moral evil of which must and certainly does lie somewhere) did lie at my door, or at theirs that have been the faithful adherers to this cause. This is with such evidence upon my heart that I am most freely and cheerfully willing to put the greatest seal to it [that] I am capable, which is the pouring out of my very blood in witness to it; which is all I shall need to say in this place and at this time, having spoken at large to it in my defence at my trial, intending to have said more the last day, as what I thought was reasonable for arrest of the judgement, but I was not

permitted then to speak it; both which may with time and God's providence come to public view.

And I must still assert that I remain wholly unsatisfied that the course of proceedings against me at my trial were according to law, but that I was run upon and destroyed, contrary to right and the liberties of Magna Charta, under the form only of justice; which I leave to God to decide, who is the Judge of the whole world, and to clear my innocency; whilst in the meantime I beseech Him to forgive them, and all that have had a hand in my death, and that the Lord in His great mercy will not lay it unto their charge.

And I do account this lot of mine no other than what is to be expected by those that are not of the world, but whom Christ hath chosen out of it, for the servant is not greater than his Lord; and if they have done this to the green tree they will do it much more to the dry.

However, I shall not altogether excuse myself. I know that by many weaknesses and failures I have given occasion enough of the ill usage I have met with from men, though in the main the Lord knows the sincerity and integrity of my heart, whatever aspersions and reproaches I have [lain] or do lie under. I know also that God is just in bringing this sentence and condemnation upon me for my sins. There is a body of sin and death in me [that] deserves this sentence; and there is a similitude and likeness also that, as a Christian, God thinks me worthy to bear with my Lord and Head, in many circumstances in reference to these dealings I have met with, in the good I have been endeavouring for many years to be doing in these nations, and especially now at last in being numbered amongst transgressors and made a public sacrifice through the wrath and contradictions of men, and in having finished my course and fought the good fight of faith, and resisted in a way of suffering, as you see, even unto blood.

This is but the needful preparation the Lord hath been working in me to the receiving of the crown of

immortality, which He hath prepared for them that love Him, the prospect whereof is so cheering that through the joy in it that is set before the eyes of my faith, I can, through mercy endure this cross, despise this shame, and am become more than conqueror through Christ that hath loved me.

For my life, estate and all, is not so dear to me as my service to God, to His cause, to the kingdom of Christ, and the future welfare of my country; and I am taught according to the example, as well as that most Christian saying of a noble person that lately died after this public manner in Scotland,¹ 'How much better is it to choose affliction and the cross than to sin or draw back from the service of the living God into the ways of apostacy and perdition.'

That noble person, whose memory I honour, was with myself at the beginning and making of the Solemn League and Covenant, the matter of which, and the holy ends therein contained, I fully assent unto, and have been as desirous to observe; but the rigid way of prosecuting it, and the oppressing uniformity that hath been endeavoured by it I never approved.

This were sufficient to vindicate me from the false aspersions and calumnies which have been laid upon me of Jesuitism and Popery, and almost what not, to make my name of ill favour with good men; which dark mists do now dispel of themselves, or at least ought, and need no pains of mine in making an apology.

For if any man seek a proof of Christ in me let him read it in this action of my death, which will not cease to speak when I am gone; and henceforth let no man trouble me, for I bear in my body the marks of the Lord Jesus.

I shall not desire in this place to take up much time, but only as my last words leave this with you: That as the present storm we now lie under, and the dark clouds that yet hang over the Reformed Churches of

¹ This was the Marquess of Argyll who was executed at Edinburgh on 27 May, 1661.

Christ, which are coming thicker and thicker for a season, were not unforeseen by me for many years past, as some writings of mine declare, so the coming of Christ in these clouds in order to a speedy and sudden revival of His cause and spreading His kingdom over the face of the whole earth is most clear to the eye of my faith—even that faith in which I die, whereby the kingdoms of this world shall become the kingdom of our Lord and of His Christ. Amen. Even so, come, Lord Jesus.”

APPENDIX VI

CERTAIN PASSAGES IN A LETTER, SENT FROM A FRIEND OUT
OF THE COUNTRY, TO ONE THAT ACCOMPANIED SIR HENRY
VANE TO THE SCAFFOLD

“ My loving and worthy friend,

Didst thou stand fast by my worthy friend, and bear him company? Did thy soul suffer with him and rejoice with him, riding in his chariot of triumph to the block, to the axe, to the crown, to the banner, to the bed and ivory throne of the Lord God thy Redeemer? Didst thou stand by to see all these put upon him in the day of his espousals, of his solemn nuptials? Was he not, my friend, most richly trimmed, adorned, decked with all manner of fine linen, curious embroideries? Did not the perfume of his garments give a good smell to all the room and company? Was he not like the Lord's, the Lamb's bride, made altogether ready? Was not his head richly crowned, and his neck like the tower of David? Didst thou see the chain about his neck of one pearl, dazzling the beholders? Were not his eyes like the pure dove's, fixed above upon his mate, single and clear? Was not his breast-place strong like steel? Did the arrows, the sharp trials and cruel mockings pierce it? Did not his shield cover him like the targets of Solomon? Was it not beaten gold? When it was tried did it yield to the tempter? O precious faith! Tell me, my friend, how did he wield his glittering, flaming sword? Did not it behave itself valiantly, conquering and turning every way, to preserve the way of truth, liberty, righteousness, and the cause of the Lord and His people? Was not his whole armour very rich? Was it not all from the sanctuary, for beauty and strength? Oh mighty man of valour! Thou champion for the Lord and His host,

when they were defied! How hast thou spoiled them! The Goliah is trodden under foot. The whole army of the Philistines fly. Is he fled? Is he gone from amongst men? Was not this earth, this kingdom worthy of him? Wast thou upon the Mount of Olives with him, to see how he was lifted up, glorified, advanced? Didst thou see him ascend, and chariots and heavenly hosts, the glorious train, accompanying him to his chamber, to the palace of the Great King, whither he is gone, we gazing below after him? But, will he not come again? Will not the Lord, his Bridegroom, bring him, when He shall come to reign, and His saints with Him? Make ready then, my friend: gird up thy loins; ride through gloriously, for the day is a great day of battle. And he that overcometh shall sit down with Abraham, Isaac, Jacob, the prophets, the apostles, and our late friend Vane, in the kingdom of heaven, whither I shall ever long to be prepared to set forward with the first, and to meet thee, friend, ascending into the heavenly place."

Sikes, *Life and Death of Sir Henry Vane*, p. 160 (1662).

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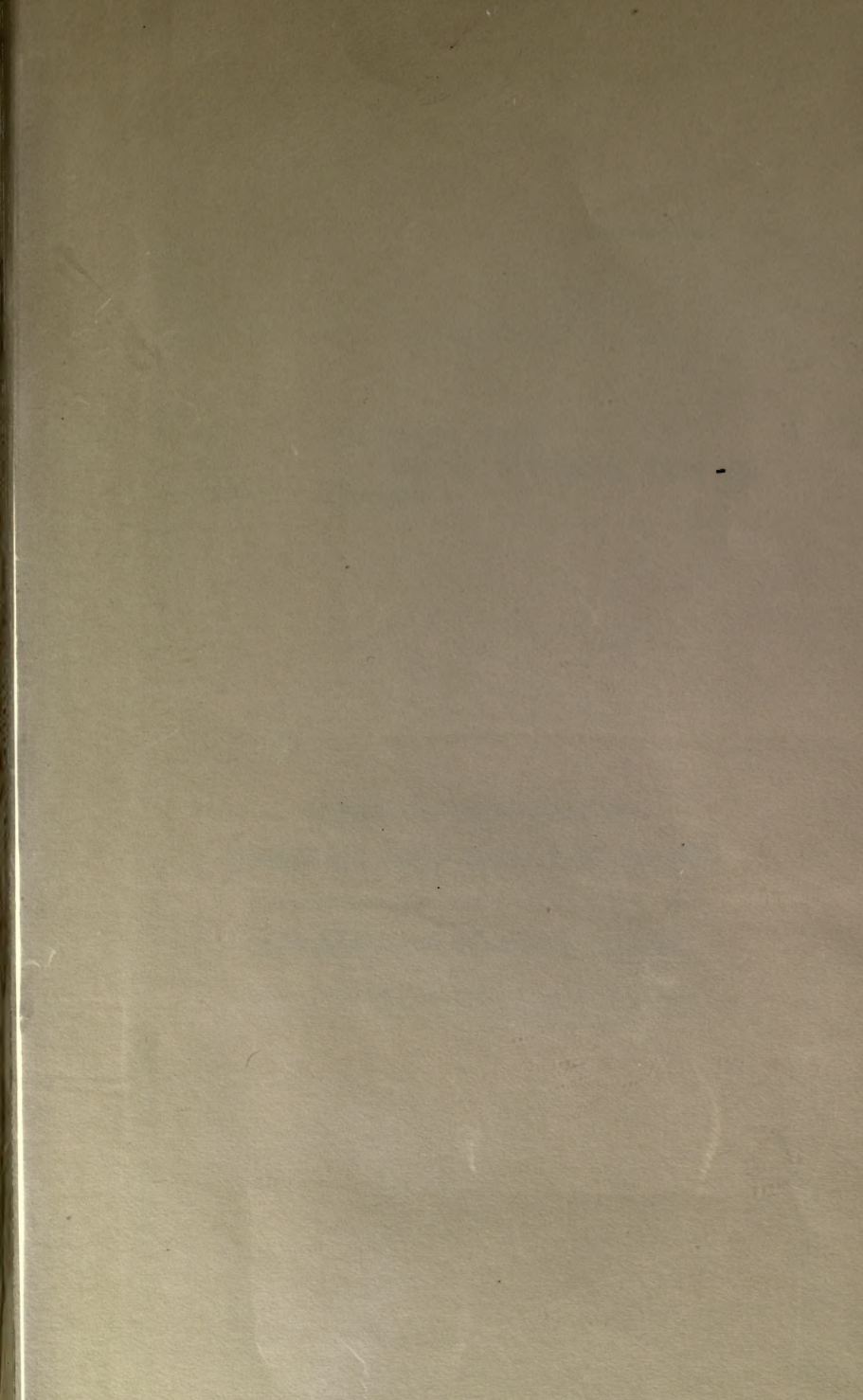
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